

ORDINANCE NO. 754

**AN ORDINANCE RELATING TO LAND USE AND AMENDING THE SCAPPOOSE
COMPREHENSIVE PLAN MAP AND ZONING MAP**

WHEREAS, an application was filed by Steinfeld's Investment Co. to amend the Comprehensive Plan Map and Zoning Map, and

WHEREAS, on July 22, 2004, the Planning Commission held a hearing on the application and voted to forward a recommendation for approval to the City Council, now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:


Section 1. The property described in Exhibit A, which is attached hereto and incorporated herein by reference, is hereby re-designated from Industrial (I) to General Residential (GR) in the Scappoose Comprehensive Plan and re-zoned from Light Industrial (LI) to Moderate Density Residential (R-4).

Section 2. The City Manager is directed to conform the City Comprehensive Plan Map and City Zoning Map to the provisions of this ordinance.

Section 3. In support of the proposed Comprehensive Plan Map Amendment and Zone Change, the City Council hereby adopts the recommendations of the Scappoose Planning Commission and the findings included in the staff report dated July 15, 2004, regarding the property.

PASSED AND ADOPTED by the City Council this 7th day of September, 2004 and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON


Glenn E. Dorschler, Mayor

First Reading: August 16, 2004
Second Reading: September 7, 2004

Attest:



Susan Pentecost, City Recorder

Exhibit A

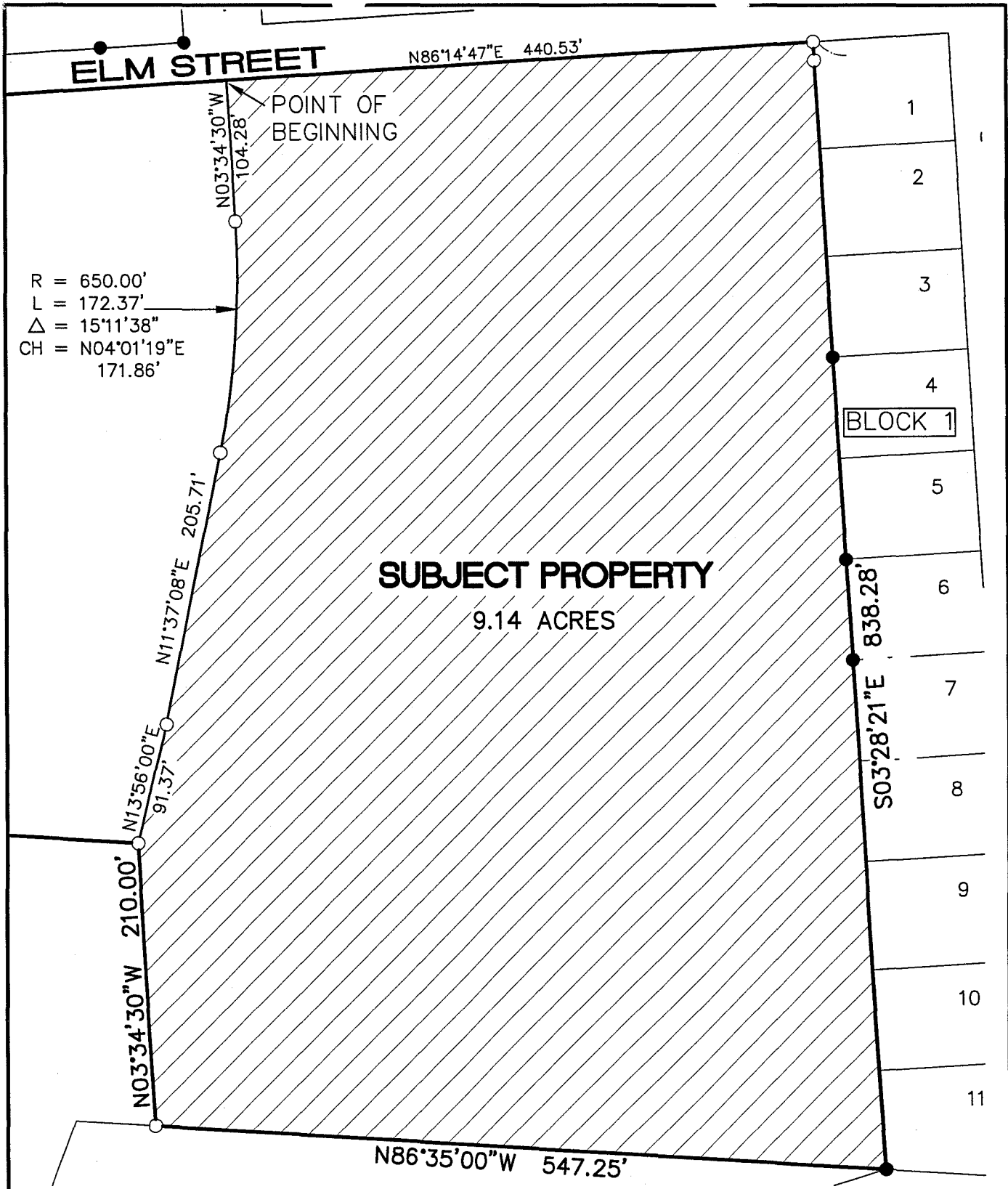
That portion of Tax Lot 3212-043-00100 described as:
September 1, 2004
Project No. 1670-01

PROPERTY DESCRIPTION

A tract of land located in the southeast $\frac{1}{4}$ of Section 12, Township 3 North, Range 2 West, Willamette Meridian, City of Scappoose, Columbia County, Oregon, being more particularly described as follows:

Commencing at the southwest corner of the William Watts Donation Land Claim No. 40, said point being marked with a 2 inch iron pipe; thence along the southwesterly line of said donation land claim North $70^{\circ}26'00''$ West a distance of 46.30 feet to its intersection with the easterly line of the Burlington Northern Railroad right-of-way; thence along said easterly right-of-way line North $03^{\circ}34'30''$ West a distance of 533.87 feet to the southwest corner of that property quitclaimed to Steinfield's Investment Company by deed recorded July 5, 1995 as Fee No. 95-5656, Deed Records of Columbia County, Oregon; thence continuing along said easterly right-of-way line North $03^{\circ}34'30''$ West a distance of 507.64 feet to the northwest corner of said Steinfield's Investment Company property, said point being also the intersection of said easterly right-of-way line with the southerly right-of-way line of Elm Street, a 30.00 foot wide right-of-way as shown on the plat of Greenwood Annex; thence along said southerly right-of-way line North $86^{\circ}14'47''$ East a distance of 520.24 feet to the POINT OF BEGINNING; thence continuing along said southerly right-of-way line North $86^{\circ}14'47''$ East a distance of 440.56 feet to the northwest corner of the Rose Valley Subdivision plat; thence along the westerly line of Rose Valley Subdivision, South $03^{\circ}28'21''$ East a distance of 838.28 feet to the southwest corner thereof; thence along the southerly boundary of said Steinfield's Investment Company property North $86^{\circ}35'00''$ West a distance of 547.25 feet to an angle point thereon; thence continuing along said southerly boundary North $03^{\circ}34'30''$ West a distance of 210.00 feet to an angle point thereon; thence departing said southerly boundary North $13^{\circ}56'00''$ East a distance of 91.37 feet to a point; thence North $11^{\circ}37'08''$ East a distance of 205.71 feet to a point; thence 172.37 feet along the arc of a 650.00 foot radius circular curve to the left, said curve having a central angle of $15^{\circ}11'38''$, a chord bearing North $04^{\circ}01'19''$ East and a chord length of 171.86 feet to a point; thence North $03^{\circ}34'30''$ West a distance of 104.28 feet to the POINT OF BEGINNING.

Said described tract of land contains 9.14 acres, more or less, subject to all easements and rights-of-way.



| | |
|------------|---------|
| DATE | 01SEP04 |
| DRAWN BY | SFF |
| CHECKED BY | |
| REVISIONS | |
| JOB NO. | 167001F |

WESTLAKE
CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652
TIGARD, OREGON 97224 FAX (503) 624-0157

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for a Comprehensive Plan Map Amendment (CPA 1-04) and Zone Change (ZC 2-04) for 9.14 acres of a 15.14 acre site. Applicant requests a change from the Comprehensive Plan designation of Industrial (I) to General Residential (GR) and a change from the Light Industrial (LI) zoning designation to the Moderate Density Residential (R-4) zoning designation.

Location: The subject site is located east of Columbia River Highway/Route 30, south of SE Elm Street, and north of High School Way, and further described as Columbia County Assessor Map No. 3212-043-00100. See attached vicinity map (Exhibit 2).

Applicant: Steinfeld's Investment Co.

Owner(s): Steinfeld's Investment Co.

EXHIBITS

1. Staff Report and Findings of Fact
2. Vicinity Map
3. Application report submitted by the applicant
4. Letter from DLCD staff dated June 18, 2004
5. Public Notice

SUBJECT SITE

- The subject site currently contains the Steinfeld's Sauerkraut Factory on its western portion. The eastern portion is undeveloped except for a stormwater detention basin, pump house, a small outbuilding, and "temporary" ball fields.
- A separate application (Docket No. MiP2-04) has been submitted to partition the parent 15.14-acre property into one 6.0-acre parcel and one 9.14-acre; the 9.14 acres are the subject of this application.
- The site is bordered to the north by Elm Street and beyond that Clark Signs, the Scappoose Fitness Center, and single-family residences; to the east by single-family residences on 3rd Place (Rose Valley Subdivision); to the south by school grounds and High School Way; and, to the west by the Burlington Northern railroad right of way and Columbia River Highway/Route 30. See Exhibit 2.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change

- Adjacent zoning includes LI and Moderate Density Residential (R-4) to the north; Low Density Residential (R-1) to the east; Expanded Commercial (EC) to the south, and EC and Commercial (C) to the west (on the west side of Route 30).

OBSERVATIONS

The Scappoose Development Code indicates that quasi-judicial amendments to the comprehensive plan and map should be based on the following four considerations:

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

While these items will be discussed in more detail in the *Findings of Fact*, several pertinent issues are called out in these observations.

Consideration #1: The applicable comprehensive plan policies and map designation

- As illustrated within the Comprehensive Plan Map (Exhibit C of application) and Zoning Map (Exhibit D of application), the subject site is designated as Industrial (I) on the comprehensive plan map, and is zoned Light Industrial (LI). Applicant requests a new Comprehensive Plan Map designation of General Residential (GR) and a new zoning designation of Moderate Density Residential (R-4). The applicant intends to apply for approval to further subdivide the land at a later date.
- See the *Findings of Fact*

Consideration #2: The change will not adversely affect the health, safety and welfare of the community**INDUSTRIAL AND RESIDENTIAL LAND ISSUES**

- *Suitability of site*

For a number of reasons, the subject site is not ideal for industrial uses. The proximity to residential areas could lead to incompatible impacts were the site to continue in the LI district. Access to the property from Route 30 is circuitous, so trucks would have to drive through and adjacent to residential properties; furthermore, trucks may have a difficult time utilizing the existing railroad crossing due to grade differences between the topographic elevation of the tracks and Route 30 at Santosh Street. The proximity to schools and athletic fields could pose a problem for schoolchildren walking to and from school and could create a perceived conflict between adjoining recreational and industrial uses. Finally, the lack of market interest for this site as an industrial use suggests that another use might be more appropriate.

As a residential use, the subject site has several positive features. The site is adjacent to residential uses; the properties to the east are currently zoned R-1 and the properties to the north are zoned LI and R-4. Placing additional residences close to

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change

downtown services creates a walkable environment that benefits the residents by providing nearby retail and professional opportunities, and benefits business owners by expanding the nearby market area. The site is within walking distance of public schools. To the extent that people can walk downtown or to school, automobile traffic is reduced. Also, changing the industrial zone to a residential zone diminishes the likelihood of conflicts between future industrial uses and the existing residential properties.

- *Industrial needs issues*

Applicant's proposal to convert 9.14 acres from LI to R-4 requires sufficient justification to merit granting the request. The 2003 Land Use Needs analysis performed by the Benkendorf Associates Corp. indicated that Scappoose had a need for an additional 8.4 acres of industrial land, plus a need for large sites totaling approximately 200 acres to accommodate large industrial users.

To compensate for this intensification of the industrial land deficit, staff offer the following observations:

1. The 2003 Buildable Land Inventory indicated that land totaling 224.8 acres has industrial comprehensive plan designations within the City's Urban Growth Boundary.
2. The City intends to focus future industrial development near the airport. Roadway and utility improvements are planned and underway on Route 30, the Crown Zellerbach Road, and West Lane to make these areas more suitable for project-ready development.
3. The City Manager has been in regular contact with the owners of a 36-acre site located on West Lane to discuss their intentions to apply for annexation. The latest indication is that the owners will aim to apply for the annexation in the Fall 2004, with the issue to be placed before the voters on the Spring 2005 ballot. Simultaneously, city staff can encourage other landowners with property planned for industrial uses to apply for annexation.
4. The uses permitted in the Light Industrial district currently include some non-industrial uses (e.g., large-scale retail uses, vehicle/fuel convenience sales, etc.). Staff proposes that non-industrial uses should be eliminated from the list of permitted uses for this zoning designation to preserve industrially zoned land for industrial uses.

TRAFFIC IMPACT ANALYSIS

- According to calculations provided by the applicants (Exhibit G of the application), the current LI zoning designation would generate up to 65 total PM peak hour trips, assuming 40% lot coverage. In contrast, if the site were developed with 43 single-family homes (which is the conceptual plan included in Exhibit E of the application), up to 50 total PM peak hour trips would be generated. In the AM peak hour, 100 trips would be generated for industrial use and 40 trips would be generated for residential use. On a daily count, light industrial use would generate up to 1,085 daily trips and residential use would

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change

generate up to 475 daily trips. In each case, re-designating the land to residential use would result in smaller traffic impacts on the surrounding roadways.

- The western boundary of the proposed residential area corresponds to the proposed property line envisioned by the application for Minor Partition MiP2-04. This proposed property line was located to accommodate a southward future extension of SE 3rd Street and to allow interconnection with E.M. Watts Road when it is extended across the railroad.

Consideration #3: The applicable standards of this title or other applicable implementing ordinances

- See the *Findings of Fact*

Consideration #4: Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property

- See the *Findings of Fact*

ADDITIONAL ISSUES**RIGHT OF WAY & PUBLIC IMPROVEMENTS**

No right of way dedications or public improvements are requested in response to this application. However, the recommended conditions of approval for Minor Partition MiP2-04 allow for the dedication of sufficient right-of-way along the southern edge of Elm Street to allow half-street improvements to City standards and the provision of street trees and public utility easements.

Since no development is proposed as part of this application, the City Engineer has not deemed it necessary to require public improvements, since those are more appropriately attached to any future applications for development.

PUBLIC AND PRIVATE AGENCIES

- The City of Scappoose Public Works, Engineering, Building, and Police Departments; Scappoose Rural Fire Protection District; Columbia County Road and Planning Departments; Century Tel; Comcast; Columbia River PUD; the Scappoose School District; Columbia County Board of Commissioners; Columbia County Soil Conservation District; ODOT Region 1; the Oregon Department of Land Conservation and Development; and Northwest Natural Gas have been provided an opportunity to review the proposal. As of the date of this report, no comments in opposition to the request had been received.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change

Comments received from public agencies included the following:

Fire Chief-

- It appears that the future development for the property will be able to meet the requirements for fire and life safety. The following will need considering when they start the development:
 - Fire hydrants will need to have two (2) 2 ½ discharges and one (1) 4 ½ steamer port with a 5” storz locking fitting and cap. The center of the steamer port shall be no lower than 18 inches from the finished surface and the steamer port shall be facing the nearest street.
 - Hydrants shall be located on an average spacing of 500 feet along the development and the water pipe designed to flow 1000 gallons per minute for residential structures less than 3500 square feet and 1500 gallons per minute for residential structures greater than 3500 square feet.
 - All street names will need approval of the Fire Chief and City to eliminate duplication of street names.

Staff will keep these requests on file for consideration at the time a development is proposed.

Columbia County Road Department-

- Elm Street is a County local road that does not currently meet the right of way standards. Some portions only have a 30 foot right of way and others a 40 foot right of way. The following changes are requested:
 1. Granting of additional public right of way on Elm Street of 5 feet in the areas of the current 40 foot right of way and 10 feet in the areas of the current 30 foot right of ways.
 2. Half street improvements to Elm Street as part of ZC 2-04 to 10 foot travel, 8 foot parking and 5 foot sidewalk as minimum requirements.
- For MiP 2-04 only the granting of the right of ways needs to be completed. For any development of the land under ZC 2-04 the street improvements will need to be completed.
- These are minimums and the City of Scappoose may request additional improvements.

Staff has recommended that the Planning Commission require right of way dedication as part of Minor Partition MiP2-04 and will keep the requests for improvements on file for consideration at the time a development is proposed.

Oregon Department of Land Conservation and Development-

- DLCD staff sent a letter dated June 18, 2004 with comments on this application. See Exhibit 4.
- During a subsequent meeting with the City Manager and the Contract Planner, DLCD staff stated that the Steinfeld site was a “vintage” industrial site, meaning that it was a small site surrounded by residences.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change

- DLCD staff also expressed that they were encouraged by the availability of industrially designated land within the urban growth boundary and urged the City to develop a schedule indicating the planned annexation dates for these lands.
- Notice of this request was mailed to property owners located within 200 feet of the subject site on June 25, 2004. As of the date this report was written, the Contract Planner had responded to one inquiry from a neighbor on SE 3rd Place; this resident expressed a preference for an open field rather than developed land behind his house. Staff informed the resident of the opportunity to provide input at the upcoming Planning Commission and City Council meetings.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon's 19 Statewide Planning Goals and Guidelines apply to the subject application. Discussion of these Goals can be found in the *Findings of Fact*.

The Findings of Fact and Conclusionary Findings are attached as Exhibit "A" to this report and are, by this reference, herein incorporated.

RECOMMENDATION

Based on the findings of fact, the conclusionary findings for approval, and the materials submitted by the applicant, staff recommends that the Planning Commission forward a **recommendation of approval** for CPA 1-04 and for ZC 2-04 to the City Council, along with the following conditions:

1. That this Comprehensive Plan Map Amendment and Zone Change shall not take effect until and unless the Minor Partition application MiP 2-04 is approved by the Planning Commission.
2. That the Zone Change ZC 2-04 shall not take effect until and unless CPA 1-04 is approved by the City Council.

EXHIBIT "A"
FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL
CPA 1-04/ZC 2-04 COMPREHENSIVE PLAN AND ZONE AMENDMENTS
(STEINFELD PROPERTY)

1. Approval of an application for a Comprehensive Plan Map Amendment (CPA 1-04) and Zone Change (ZC 2-04) for 9.14 acres of a 15.14 acre site. Applicant requests a change from the Comprehensive Plan designation of Industrial (I) to General Residential (GR) and a change from the Light Industrial (LI) zoning designation to the Moderate Density Residential (R-4) zoning designation. The subject site is located east of Columbia River Highway/Route 30, south of SE Elm Street, and north of High School Way, and further described as Columbia County Assessor Map No. 3212-043-00100.
2. The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:

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

Section 17.22.010 Purpose

The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

Section 17.22.030 Quasi-judicial amendments.

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

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

The preceding information outlines the approval criteria for a quasi-judicial amendment. The following text provides more detailed responses to each criterion.

1. **THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION**

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

GOAL OF THE URBAN GROWTH BOUNDARY

It is the goal of the City of Scappoose to:

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

Finding: The Comprehensive Plan Map Amendment and Zone Change includes R-4 Moderate Density Residential for the eastern 9.14 acres. The proposed changes will optimize livability by reducing the total acreage reserved for LI Light Industrial uses and providing for a residential character in the area east of 3rd Street (extended south). The proposal will maintain the western portion of the LI Light Industrial zone designation (6.0 acres), as it is located next to the railroad tracks. The focus of the Comprehensive Plan Map Amendment and Zone Change for the eastern 9.14 acres is to provide a better transition to existing homes. The proposed zone boundary has been aligned to allow for the southward extension of 3rd Street and the eastward extension of E.M. Watts Road. 3rd Street will provide a buffer between the industrial site on the west and the proposed residential site on the east.

Future development will create better pedestrian connectivity for neighborhood residents as well as surrounding residents en route to or from the adjacent property that includes Grant Watts Elementary School. Some of the recreational uses on the site including a ball field and play structure will remain and some of the existing ball fields are being displaced. The increased pedestrian network will make this more easily accessible to a larger number of residents, thereby increasing the livability of the area.

POLICIES FOR THE URBAN GROWTH BOUNDARY

It is the policy of the City of Scappoose to:

- 2) *Review the supply of buildable lands within the Urban Growth Boundaries, in cooperation with Columbia County during each major review of the City's plan. The process of expanding the urban growth areas may begin when there is less than a five year supply of residential land or when 75 percent of the industrial or commercial lands are built on.*

Finding: The City has reviewed its supply of buildable lands and estimated the demand for land to the year 2025, using stratified residential, commercial and industrial categories. The Land Use Needs Analysis found that the City should add more than 200 acres of industrial land to the UGB to meet calculated long-term needs. The immediate deficit is 10.5 gross acres not including a provision for large sites. By changing the plan designation of this site, the immediate deficit is increased to 19.64 acres. However there are 224.8 acres within the City's Urban Growth Boundary which can be annexed in to the City.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

GOAL FOR ECONOMICS

It is the goal of the City of Scappoose to:

- 1) *Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*
- 2) *Establish greater local control over the density of local economic development.*
- 3)

POLICIES FOR ECONOMICS

It is the policy of the City of Scappoose to:

- 1) *Make sufficient land available for the anticipated expansion of commercial and industrial activities.*

Finding: The subject property was originally designated I Industrial and zoned LI Light Industrial to conform with the existing use of the structure at that time. The factory has been dormant since it was closed in 2002, and the property has been offered on the market with no bona fide offers. There has been little to no interest in industrial redevelopment of the entire 15-acre site. So, while having land zoned for industrial use would appear to be consistent with the policy, the evidence suggests that this particular location is not an effective one for achieving the desired economic goals. The property has been unable to produce an addition to "a growing, healthy, stable, and diversified business and industrial climate."

- 2) *Encourage the preservation, improvement and renewal of the existing business district of the City so that it will be allowed to play a role as a center of economic and civic activity for the entire community.*

Finding: Housing in the downtown core helps to create an active customer base which will support an active economic center.

- 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.*

Finding: The subject property was originally designated I Industrial and zoned LI Light Industrial to accommodate the existing "Steinfeld's Sauerkraut Factory." The site has previously utilized the adjacent rail line and the applicant is not proposing to change the zoning of the

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

western 6.0 acres, so a 6-acre site with access to the rail line will still be available for industrial uses.

At 15 acres, employment density does not reach a "critical mass" of participants sufficient to contribute to significant carpooling or other transportation demand management practices.

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

Finding: The City's system plans for water and sanitary sewer service are capable of accommodating either industrial or residential use of the subject property. Some uses permitted in the LI zone could use large amounts of process water, which can place high demands on water and sewer facilities. Residential uses utilize public facilities much more predictably.

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.

Finding: A current assessment of the area indicates that a residential use is more compatible with the surrounding uses. The proposed residential site has single-family residential on the north and east and a school on the south. Therefore a residential use is better suited to the 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.

Finding: A more suitable land use balance is for new residential development to be located directly adjacent to the existing residential area to the east. The proposed boundary of the comprehensive plan map amendment and zone change is based on the eastern extension of EM Watts making a connection with a southern extension of 3rd Street. 3rd Street will create a better transition from residential to industrial, thereby buffering the industrial site and preventing it from directly abutting existing residential properties.

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

Finding: The proposed boundary of the comprehensive plan map amendment and zone change allows for the extension of 3rd Street along the zoning boundary. 3rd Street will create a better

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

transition from residential to industrial, thereby buffering the industrial site and preventing it from directly abutting residential properties.

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

Finding: Development of the subject 9.14-acre area is required to provide all the features associated with new residential development, including public streets with curbs, sidewalks, and pedestrian paths. Pedestrian amenities will reduce vehicle-pedestrian conflicts on 3rd Place between Grant Watts Elementary School and Elm Street by providing an alternative pedestrian route with sidewalks and an accessway to the school site.

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

Finding: The subject property is not suitably located to accommodate contemporary industrial needs. The city has identified large tracts of land in the southern part of the Urban Growth Area and in the north, close to the airport, suitable for industrial use. These areas are not in conflict with residential uses and would benefit from the synergy of surrounding industrial development and are therefore more suitably located. As a separate action, the City intends to enlarge its long-term supply of industrial land by encouraging annexation and providing public services to the lands designated industrial within the City's UGB.

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

Finding: The subject property is a desirable location for residential development because its central location is close to the City's business district. This makes it possible and convenient to meet basic daily needs close to a place of residence. It also contributes to the vitality of the central business district. Additionally, Grant Watts Elementary School is located to the south of the subject property. The City will require the construction of sidewalks and streets that will provide better connectivity not only for future residents but for neighboring properties to the north of the subject property. This will allow for a more safe and alternative means of improved transit for children and adults commuting to and from the school.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

GOAL FOR THE INDUSTRIAL LAND USE DESIGNATION

It is the goal of the City of Scappoose to:

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

POLICIES FOR THE INDUSTRIAL LAND USE DESIGNATION

It is the policy of the City of Scappoose to:

- 1) *Provide suitable areas for industrial expansion, utilizing for such purposes relatively large, flat areas that are separated by buffers from the City's residential districts.*
- 2) *Prevent industrial development from disrupting homogeneous residential neighborhoods.*
- 3) *Locate industrial areas so they have a convenient relationship to the community's transportation system, without generating heavy traffic through residential districts; additionally, the clustering of industrial activities will allow carpooling by employee.*

Finding: The subject site is not suitable for industrial uses since its proximity to residential areas could lead to incompatible impacts. Access to the property from Route 30 is circuitous, so trucks would have to drive through and adjacent to residential properties; furthermore, trucks may have a difficult time utilizing the existing railroad crossing due to grade differences between the level of the tracks and Route 30 at Santosh Street. The proximity to schools and athletic fields could pose a problem for schoolchildren walking to and from school and could create a perceived conflict between adjoining recreational and industrial uses.

The 2003 Land Use Needs analysis indicated that Scappoose had a need for an additional 8.4 acres of industrial land, plus a need for large sites totaling roughly 200 acres to accommodate large industrial users. To compensate for this intensification of the industrial land deficit, staff offer the following observations:

- The 2003 Buildable Land Inventory indicated that land totaling 224.8 acres within the City's Urban Growth Boundary has industrial comprehensive plan designations.
- The City intends to focus future industrial development near the airport. Roadway and utility improvements are planned and underway on Route 30, the Crown Zellerbach Road, and West Lane to make these areas more suitable for project-ready development.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

- The City Manager has been in regular contact with the owners of a 36-acre site located on West Lane Road to discuss their intentions to apply for annexation. The latest indication is that the owners will aim to apply for the annexation in Fall 2004, with the issue placed before the voters on the Spring 2005 ballot. Simultaneously, city staff can encourage other landowners with property planned for industrial uses to apply for annexation.
- The uses permitted in the Light Industrial district currently include some non-industrial uses (e.g., large-scale retail uses, vehicle/fuel convenience sales, etc.). Staff propose that non-industrial uses should be eliminated from the list of permitted uses for this zoning designation.

GOAL FOR TRANSPORTATION

[...]

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

POLICIES FOR TRANSPORTATION

- 1) *Require all newly established streets and highways to be of proper width, alignment, design and construction, and to ensure that they are in conformance with the City's Subdivision Ordinance.*
- 2) *Review diligently all subdivision plats and road dedications to insure the establishment of a safe and efficient road system."*

Finding: According to calculations provided by the applicants (Exhibit G of the application), the current LI zoning designation would generate up to 65 total PM peak hour trips, assuming 40% lot coverage. In contrast, if the site were developed with 43 single-family homes (which is the conceptual plan included in Exhibit E of the application), up to 50 total PM peak hour trips would be generated. In the AM peak hour, 100 trips would be generated for industrial use and 40 trips would be generated for residential use. On a daily count, light industrial use would generate up to 1,085 daily trips and residential use would generate up to 475 daily trips. In each case, re-designating the land to residential use would result in smaller traffic impacts on the surrounding roadways.

The western boundary of the proposed residential area corresponds to the proposed property line envisioned by the application for Minor Partition MiP2-04. This proposed property line was located to accommodate a southward future extension of SE 3rd Street

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

and to allow interconnection with E.M. Watts Road when it gets extended across the railroad.

GOALS and POLICIES 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) *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.*

Finding: The public facility requirements of residential uses is more predictable than the array of potential industrial uses. The City plans to install a new water source and treatment facility are expected to be complete prior to development of this site, ensuring adequate capacity.

GOAL FOR HOUSING

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

Finding: The subject property is bordered to the northeast and east by established single-family neighborhoods.

City of Scappoose General Residential Land Use Designation Policy #3 is to “*encourage greater densities in the older portions of town, which are convenient to shopping and other conveniences, and more suitable for development at greater densities than outlying areas.*”

Of the four residential zones in the Scappoose Development Code, the R-4 Moderate Density Residential zone achieves the best fit at the location of the subject property. The R-4 zone allows higher residential density than the R-1 Low Density Residential zone, making it preferable at the subject property’s central location. The R-4 zone also allows the same minimum lot size as the MH Mobile Home Park zone, however it will not permit manufactured home parks, which would be in conflict with Mobile Home – Land Use Designation Policy #3.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

The proposal to rezone the subject property R-4 Moderate Density Residential is consistent with the findings and recommendations in the City's 2003 Buildable Land Inventory and Land Use Needs Analysis reports.

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

Finding: The proposal will not adversely affect health, safety, and welfare for several reasons. First, it will eliminate the potential for a large industrial use to locate immediately adjacent to established single-family homes, a school, and athletic fields. Second, residential development will provide improved circulation, in particular new streets with sidewalks and curbs, providing improved pedestrian safety and convenience. Third, the proposed change will foster new development that is consistent with the existing residential character, which will reinforce and enhance a centrally located residential neighborhood.

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

Finding: The proposed map amendment and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and Development Code.

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

The subject site is located on the south side of Elm Street on the east side of an existing industrial site commonly referred to as the "Steinfeld's Sauerkraut Factory." The property located to the northeast of the subject property is zoned R-4 Moderate Density Residential. It consists generally of single-family detached residences. To the east of the subject property is a residential subdivision zoned R-1 Low Density Residential that consists of single-family detached residences as well. The abutting property to the south is zoned EC-Expanded Commercial, however, it is currently utilized by the Scappoose School District, more specifically baseball fields and Grant Watts Elementary School. The subject property is designated in the City of Scappoose Comprehensive Plan Map as Industrial.

The site was zoned LI Light Industrial to accommodate future industrial uses. The plant closed in 2002, the property has been on the market, and there has been little to no interest in the site for industrial use. These facts are evidence of a change in the community that has made the subject property unattractive for light industrial use.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

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:

[...]

2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;

3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

Finding: Sections 17.162.090(C, 2-3) are satisfied by the request in that the applicant has submitted comprehensive plan map amendment and zone change applications on forms provided by the City of Scappoose, has paid the applicable land use fees, and the Planning Commission and City Council follow the correct procedures.

STATEWIDE PLANNING GOALS

The Comprehensive Plan Amendment and Zone Change are evaluated by the statewide planning goals in the following section.

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 includes citizen involvement procedures with which the review of this application will comply. A neighborhood meeting was held on April 29, 2004 to discuss the proposal with adjacent property owners. Within the Comprehensive Plan Map Amendment and Zone Change process, the Applicant is required to post site notices, the city notifies by mail adjacent property owners of the proposed change and public hearings will be held; this process complies with the Goal. (See Applicant's *Exhibit M – Neighborhood Meeting Documentation*)

B. Land Use Planning (Goal 2)

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

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 is to change the planning and zoning designations of urban land within the Urban Growth Boundary, in compliance with Goal 2.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding: This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary.

D. Forest Lands (Goal 4)

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

Finding: This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary.

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

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

Finding: There are no identified Goal 5 resources on or near the site, therefore the proposed plan map amendment and zone change will have no effect on Goal 5 resource conservation.

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

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

Finding: The site is currently designated for light industrial use, and is also subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. For this reason, the potential harmful effects on air, water and land resource quality is already limited. Generally, single-family residential development is considered to produce lesser impacts on environmental quality factors than industrial use. The proposal will therefore have no significant impact with respect to this Goal.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

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

Objective: To protect people and property from natural hazards.

Finding: The subject property is not located within a floodplain, nor does it have areas with steep slopes or highly erosive soils. The proposal to designate the subject property for residential development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

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

Finding: The subject site is adjacent to a public school with large ball fields. The subject site is not identified in local plans for devotion to recreational needs; however, part of the site has been used for little league in recent years, on a temporary basis, by agreement with the property owners, and with no expectation of persistence.

Because the property is not identified for recreational use, the proposed Comprehensive Plan Map Amendment and Zone Change will have no significant impact on the City's planning for recreational needs.

Residential development of the subject property is projected to yield up to 43 detached single-family dwelling units. This will produce a corresponding increase in demand for parks and recreation facilities in the City; however, it will also generate Parks Systems Development Charge fee revenues of up to \$64,328 (at the present rate of \$1,496 per dwelling) for park acquisitions and improvements. Furthermore, development of the site, including streets, sidewalks, and a pedestrian linkage, will create better connectivity to the ball fields for both neighborhood residents and surrounding property owners.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

I. Economic Development (Goal 9)

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

Finding: The City prepared a Buildable Lands Inventory and Land Use Needs Analysis in 2003. (See Applicant's Exhibits H and I, respectively) The Land Use Needs Analysis recommends the addition to the City of over 200 acres of land for industrial development in locations that are buffered from residential uses and have good access to transportation, including the nearby general aviation airport. The subject property, by contrast, is not so located. Its neighbors to the northeast and east are existing, established single-family residential neighborhoods, and to the south, public schools. Its central location in the City isolates it from other industrial use areas, and access to Highway 30 would necessarily cause conflicts between neighborhood motorists and industrial vehicles, such as shipping and delivery trucks. Therefore, the proposed Comprehensive Plan Map Amendment and Zone Change will contribute to an improved overall approach to managing land use needs, while reducing the potential for adjacency conflicts in the central part of the City. Land areas in other parts of the City, which have already been identified for annexation to the City, are much more suitable for industrial use as a key aspect of economic development.

J. Housing (Goal 10)

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

Finding: See the Finding for the City of Scappoose Housing Goal.

J. 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 is therefore considered to be urban property, which requires the extension of public facilities and services as follows:

Water - The City is scheduled to complete the water system improvements in June of 2005, thereby providing adequate source capacity and treatment facilities to accommodate either industrial or residential use. Although the City is currently drilling new wells and installing new treatment facilities to accommodate future growth in the area, some industrial uses can be unpredictable in their use patterns and can place high demands on public facilities. Typically, residential properties utilize public facilities substantially less and are much more predictable in their use patterns. The installation of a new facility certainly can accommodate the proposed

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

9.14-acre residential property at full density. Therefore, residential use is more supportive of this Goal.

Sewer - In the early 1990's, the previous owner of the "Steinfeld's Sauerkraut Factory" participated in a project with the City to improve capacity for the local sewer system. This was precipitated as a result of the by-product that the sauerkraut process was producing and the mutual desire to avoid surface discharges of process water containing chlorides. The company entered in to a contract with the City to help pay for installation of a new sewer system, making the system capable of handling the process waste discharged from the sauerkraut plant. When the plant connected to the public sewer system, on-site discharge of process water ceased. Since that time, monitoring wells have been capped, and the Oregon Department of Environmental Quality (DEQ) has issued a "No further action" letter for the property sometime before the sale of the property in 1999. Although the plant is not currently utilized, the existing City sewer system is in place and is sized to handle a similar scale of discharge including expanded residential uses.

K. Transportation (Goal 12)

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

Finding: This Goal requires the City to prepare and implement a Transportation System Plan. According to the City of Scappoose Transportation System Plan and the more recent Rail Corridor Study, E.M. Watts has been designated as a collector street. The proposed zoning boundary allows for the eastern extension of E.M. Watts (across the rail line) to connect with the southern extension of 3rd Street, thereby creating a more functional transit system.

With regard to the trip generation calculation, Light Industrial (assuming 40% coverage = 159,255 square feet) would result in 65 total PM peak hour trips while 43 single-family residences would result in 50 total PM peak hour trips. Therefore, average trip generations suggest that the proposed comprehensive plan map amendment and zone change, more specifically subsequent residential development of the property, would reduce average daily trip generation. This in turn will reduce travel demand, so the proposed Comprehensive Plan Map Amendment is expected to have a positive, beneficial impact on the functioning of the circulation system, including Highway 30 and its intersections. Therefore, a detailed impact analysis is not warranted.

Steinfeld Property Comprehensive Plan Map Amendment and Zone Change
Exhibit "A"

L. Energy Conservation (Goal 13)

Objective: To conserve energy.

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

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

Finding: The subject property is at a desirable location for residential development because its central location is close to the City's core business district. This makes it possible and convenient to meet basic daily needs close to home. This reduces the need for automobile travel and supports alternative transportation modes (walking, cycling) that are more energy efficient. Additionally, the subject property is not in close proximity to other industrial sites, which when clustered can facilitate carpooling by employees, thereby reducing the number of vehicles on the road and increasing energy efficiency.

Furthermore, clustering industrial activities in outlying industrial zones allows for more direct access to principal roadways. The subject property is surrounded by existing development and is constrained by the limitations of existing streets, which leads to congestion and higher energy use. Therefore, the proposal will contribute to a more energy-efficient land use pattern within the City's Urban Growth Boundary.

M. Urbanization (Goal 14)

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

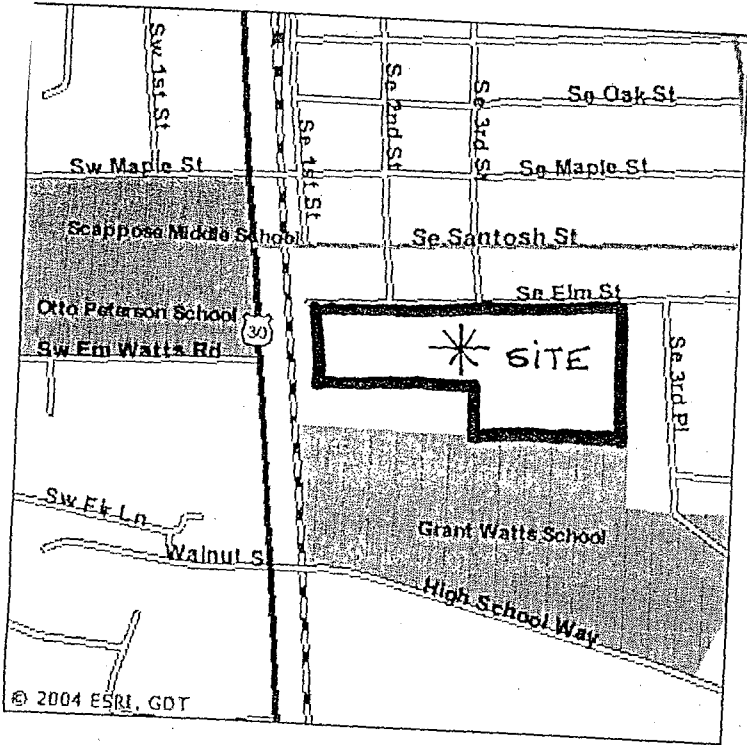
Finding: The subject property is at a central location within the Urban Growth Boundary and no expansion of the Urban Growth Boundary is proposed. The proposed Comprehensive Plan Map Amendment and Zone Change will not affect the City's Goal 14 compliance.

Goals 15 through 19 are not applicable to this application.

LOCATION MAP

COMPREHENSIVE PLAN MAP AMENDMENT CPA1-04
& ZONE CHANGE ZC2-04

Overview:



22

SW 1/4 SE 1/4 SECTION 12 T.3N. R.2W. W.M.
COLUMBIA COUNTY
THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 100'
Current Revision Date: 6 / 30 / 00

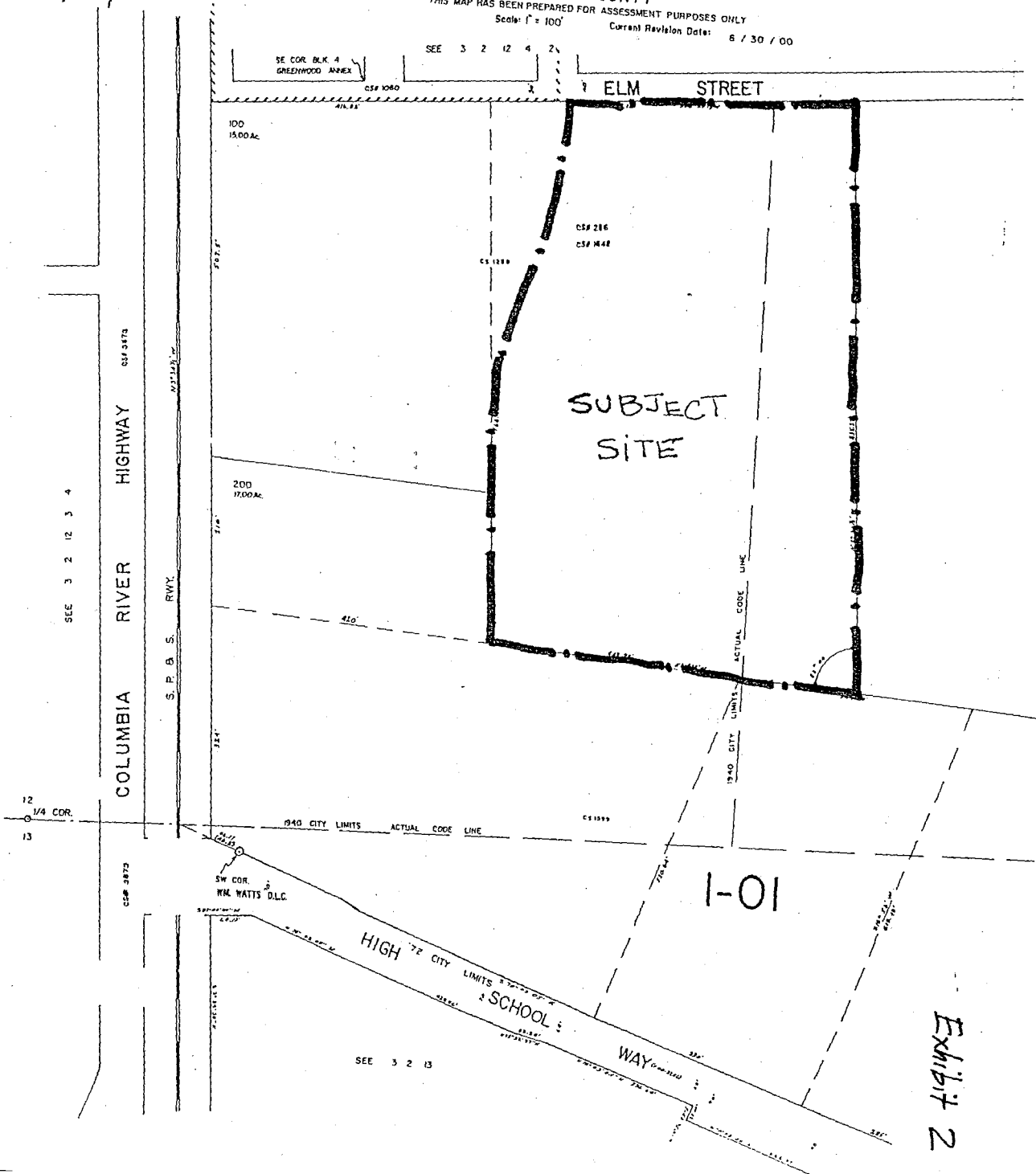


Exhibit 2



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Main/Coastal Fax: (503) 378-6033

Director's/Rural Fax: (503) 378-5518

TGM/Urban Fax: (503) 378-2687

Web Address: <http://www.lcd.state.or.us>

June 18, 2004

Brian Varricchione
The Benkendorf Associates Corp.
522 SW Fifth Avenue, Suite 703
Portland, OR 97204



Re: Scappoose Local File No. CPA 1-04/ZC 2-04, DLCD File No. 001-04

Dear Brian:

The Department of Land Conservation and Development appreciates the opportunity to comment on this proposed comprehensive plan amendment and zone change. This proposal changes the comprehensive plan and zone map from I-Industrial to GR, General Residential; and from LI, Light Industrial to R-4, Moderate Density Residential for 9.14 acres of a 15.14 acre site. The remaining 6.00 acres will remain industrially zoned.

We hope you will find the following comments helpful:

Governor's Executive Order 03-02 directs state agencies to take steps to create a ready supply of land for a variety of industrial uses. In addition, the Legislative Assembly through House Bill 2011 (Ch. 800 OR Laws 2003) has declared there is a need for a statewide inventory of sites that are planned and zoned for industrial or traded sector uses and are ready for development. Furthermore, HB 2011 has directed the Land Conservation and Development Commission to study the conversion of industrial land to non-industrial uses. A statewide inventory of serviced industrial land for traded-sector industries is critical for job growth and economic recovery. Therefore, the department has a particular interest in maintaining Oregon's industrial land base with regard to these policies and directives and any diminution of the industrial land supply shall be evaluated accordingly.

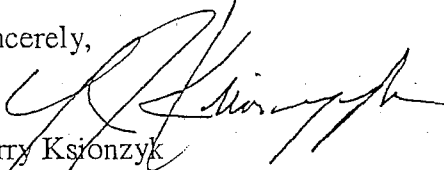
After speaking with you, we understand why the property owner and the city feel this proposed zone change would be beneficial. The Department almost always supports actions that result in additional densities in downtowns, and we do here, but unfortunately the city has so far failed to adequately justify the zone change as required by Goal 9 because the City has determined it has a deficit of industrial lands (a recent Buildable Lands Inventory and Lands Needs Analysis showed a deficit of over 200 acres for industrial use in the urban growth boundary).

In response to this proposal and any others pending, the department would like to meet with the City to explore ways to resolve its industrial land needs while increasing density in its downtown. At the same time we would like to explore options allowing neighborhood residents to travel between City Hall and the High School without using Highway 30. In the meantime,

the Department believes it would be beneficial for the City to delay or table the current proposal until all parties have a chance to explore workable options and plan for the future.

Please place these comments in the record for this matter. Should you have any questions regarding these comments do not hesitate to contact me at 503-373-0050 x 258 or larry.ksionzyk@state.or.us.

Sincerely,



Larry Ksionzyk
Community Development Specialist

cc: Gary Fish, DLCD
Denny Houle, OECDD
Sonya Kazen, ODOT
Robin Roberts, ERT
DLCD File No. 001-04

CITY OF SCAPPOOSE

P.O. DRAWER "P"
 SCAPPOOSE, OREGON 97056
 (503) 543-7184
 FAX: (503) 543-5679

NOTICE

NOTICE IS HEREBY GIVEN that the Scappoose Planning Commission will hold a public meeting on Thursday, July 22, 2004 at 7:00 p.m. in the Scappoose City Hall Council Chambers, 33568 E. Columbia Avenue, in the City of Scappoose, Oregon, in regard to the following matter:

DOCKET NUMBER CPA1-04/ZC2-04

Steinfeld's Investment Co. is requesting approval of an application for a Comprehensive Plan Map Amendment (CPA1-04) and Zone Change (ZC 2-04) for a 9.14-acre portion of a 15.14-acre parcel of land located east of Columbia River Highway/Route 30, south of SE Elm Street, and north of High School Way, and further described as Columbia County Assessor Map No. 3212-043-00100. Note that a separate application (Docket No. MiP2-04) has been submitted to partition the parent 15.14-acre property into one 6.0-acre parcel and one 9.14-acre; these 9.14 acres are the subject of this application. The current Comprehensive Plan Map designation for this site is Industrial, and applicant requests a new designation of General Residential. Current zoning for the parcel is Light Industrial, and applicant requests a new zoning designation of Moderate Density Residential (R-4).

The Planning Commission's decision on the above public hearing item must be based on findings that a specific set of criteria have been or have not been met. Comments submitted in regard to the application should be directed toward those criteria that are generally as follows:

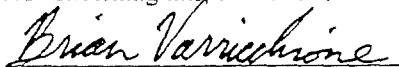
1. Applicable goals and policies of the Scappoose Comprehensive Plan.
2. Applicable sections of Title 17 (Land Use and Development) of the Scappoose Municipal Code, with particular emphasis on Chapters 17.22 (Amendments to the Title, Comprehensive Plan, and Maps), 17.50 (R-4, Moderate Density Residential); 17.70 (Light Industrial); and 17.162 (Procedures for Decision Making--Quasi-Judicial).

The Planning Commission may make a recommendation to the City Council to approve, approve with conditions or deny an application for a Comprehensive Plan Map Amendment and Zone Change in accordance with the criteria of the Scappoose Comprehensive Plan, and Sections 17.22.030 (Quasi-judicial amendments) and 17.162 (Procedures for Decision Making--Quasi-Judicial) of the Scappoose Development Code. *Both written and oral testimony will be taken.* All written comments must be received by the City of Scappoose, Planning Services Manager, PO Box "P," Scappoose, Oregon 97056 by 5:00 p.m., *Wednesday, July 21, 2004.*

Testimony should pertain to the applicable criteria. The decision will be made in accordance with the procedures of Chapter 17.162 of the Scappoose Development Code and may be appealed, as provided for in the respective chapters. Failure to raise an issue in the hearing or in writing prior before the close of the written comment period, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals based upon that issue. The applicant and any person who submits written comments during the comment period shall receive notice of the decision.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Recorder (503) 543-7146.

The decision-making criteria, application, and records concerning this matter are available by contacting the Contract Planner, The Benkendorf Associates Corp., at 503-226-0068.


 Brian Varricchione
 The Benkendorf Associates Corp.
 Contract Planner

(Map of area on back)

From: Andy Jordan <Andy.Jordan@jordanschrader.com>
To: 'Benkendorf Associates Corp' <admin@benkassoc.com>
Cc: Susan Pentecost <susanpentecost@ci.scappoose.or.us>
Subject: RE: Draft ordinance for your review
Date: Thu, 12 Aug 2004 12:50:59 -0700
X-Mailer: Internet Mail Service (5.5.2653.19)
X-RCPT-TO: <susanpentecost@ci.scappoose.or.us>

Seems to me we shouldn't be adopting this rezone ordinance until the plat is filed and the lot is created. So, we can go ahead with a first reading of the ordinance with the understanding that final adoption won't occur until the lot is created and we have a legal description. Providing the description should be the applicant's responsibility, not ours.

In Section 1 of the ordinance, add "in the Scappoose Comprehensive Plan" after "(GR)" in the second line.

-----Original Message-----

From: Benkendorf Associates Corp [mailto:admin@benkassoc.com]
Sent: Thursday, August 12, 2004 11:24 AM
To: Andy Jordan
Cc: Susan Pentecost
Subject: Draft ordinance for your review
Importance: High

Andy,

Here is a draft ordinance scheduled to go before the Scappoose City Council on Monday. As I mentioned, the applicants have been approved to partition the lot into 2 pieces, one of which they're requesting be re-zoned. However, since they haven't filed the final plat yet, we don't have a legal description. I would propose to insert a diagram of the site as "Exhibit A."

Please let me know if we should revise the ordinance before sending we send it out

Thank you for your help.
Brian Varricchione

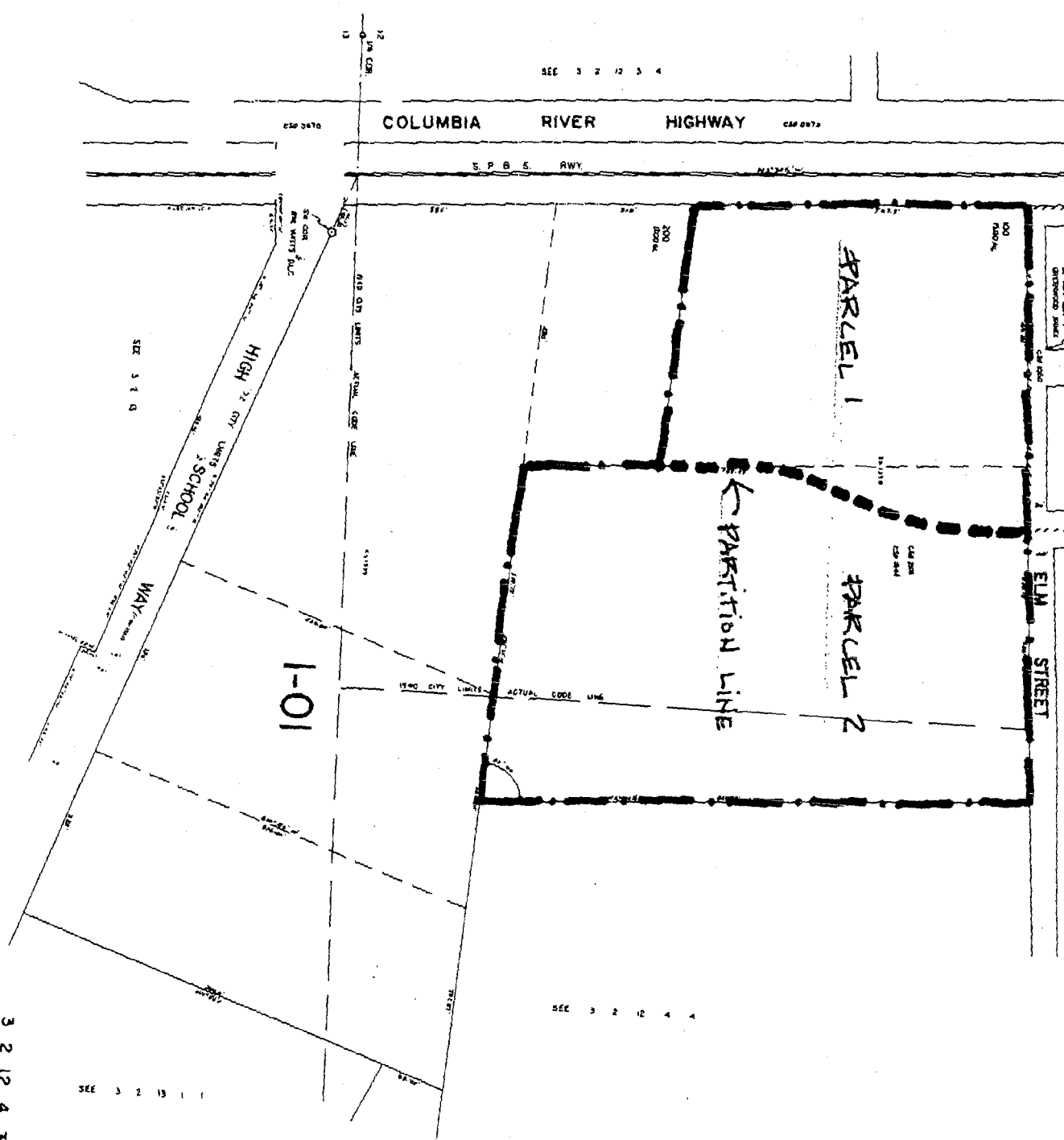
The Benkendorf Associates Corp.
522 SW 5th Ave., Suite 703
Portland, OR 97204
voice 503.226.0068
fax 503.226.2409
email admin@benkassoc.com

PLEASE DO NOT read, copy, or disseminate this communication unless you are the intended addressee. This e-mail communication may contain confidential and/or privileged information intended only for the addressee. If you have received this communication in error, please call me immediately at 503-598-7070. Also, please notify me immediately via e-mail that you have received the communication in error. Thank you.

SW 1/4 SE 1/4 SECTION 12 T3N R2W WM
 COLUMBIA COUNTY
 THIS MAP HAS BEEN PREPARED FOR ASSISTANCE BY FIBROIDS ONLY
 Scale: 1" = 100'
 Current Revision Date: 8/7/87/10

3 2 12 4 3
 SCARPOOSE

CDP 317
 CDP 318
 CDP 318+2



3 2 12 4 3

