

ORDINANCE NO. 762

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF SCAPPOOSE

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

WHEREAS, a notice of hearing on the application was given as provided by law and a hearing was held on the application on June 24, 2004, and

WHEREAS, following the hearing, the City Council approved the annexation, and

WHEREAS, pursuant to Section 17 of the Scappoose Municipal Code, the matter must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

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


Section 2. In support of the above annexation, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated June 29, 2004, regarding annexation of property located on Sixth Street (Tax Map No. 3212-044-00501 and 3212-044-00500) attached hereto as Exhibit B.

Section 3. Pursuant to Scappoose Municipal Code Chapter 136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the March 8, 2005 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit C.

Section 4. This Ordinance shall take effect upon the date of certification of the election.

Passed and adopted by the City Council this 6th day of December, 2004 and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON


Glenn E. Dorschler, Mayor

First Reading: November 15, 2004
Second Reading: December 6, 2004

Attest:


Susan Pentecost, City Recorder

CITY OF SCAPPOOSE
 33568 East Columbia Avenue, P.O. Box P, Scappoose, Oregon 97056
 (503) 543-7146 (phone) (503) 543-7182 (fax)

Type of Application	✓	Type of Application	✓
Amend Development Code-Text		Development in Fish and Wildlife Overlay	
Amend Comprehensive Plan-Text		Partition	
Amend Zoning Map		Site Development Review	
Amend Comprehensive Plan-Map		Conditional Use	
Annexation	✓	Expansion of Non-Conforming Use	
Determination of Similar Use		Variance	
Historic Site Alteration		Public Land Tree Removal	
Sensitive Lands-Development- Flooding		Home Occupation Type II	
Sensitive Lands-Development- Wetlands		Subdivision Tentative Plan	
Sensitive Lands-Development- Steep Slope		Modification to Previous Approval	
Property Line Adjustment			

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

Applicant: Dan Ragland Owner: Dan Ragland

Mailing Address: 29330 S.E. Hillyard Dr. Boring, OR 97009 Mailing Address: same

City State Zip City State Zip

Phone: 503-658-3957 Fax: Phone: 503 658 3957 Fax:

Property Address or Location: S.E. 6th Street

Tax Account Number: 3212-044-00500 and 3212-044-00501

A Legal Description of the Property must be attached.

Is a pre-application conference required: no If required, pre-application conference date: _____

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

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

Daniel L. Ragland
 Signature of Applicant

Lolabelle Maplethorpe Trust / Daniel L. Ragland
 Signature of Owner 4/13/04

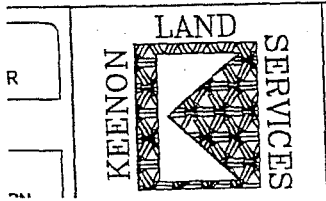
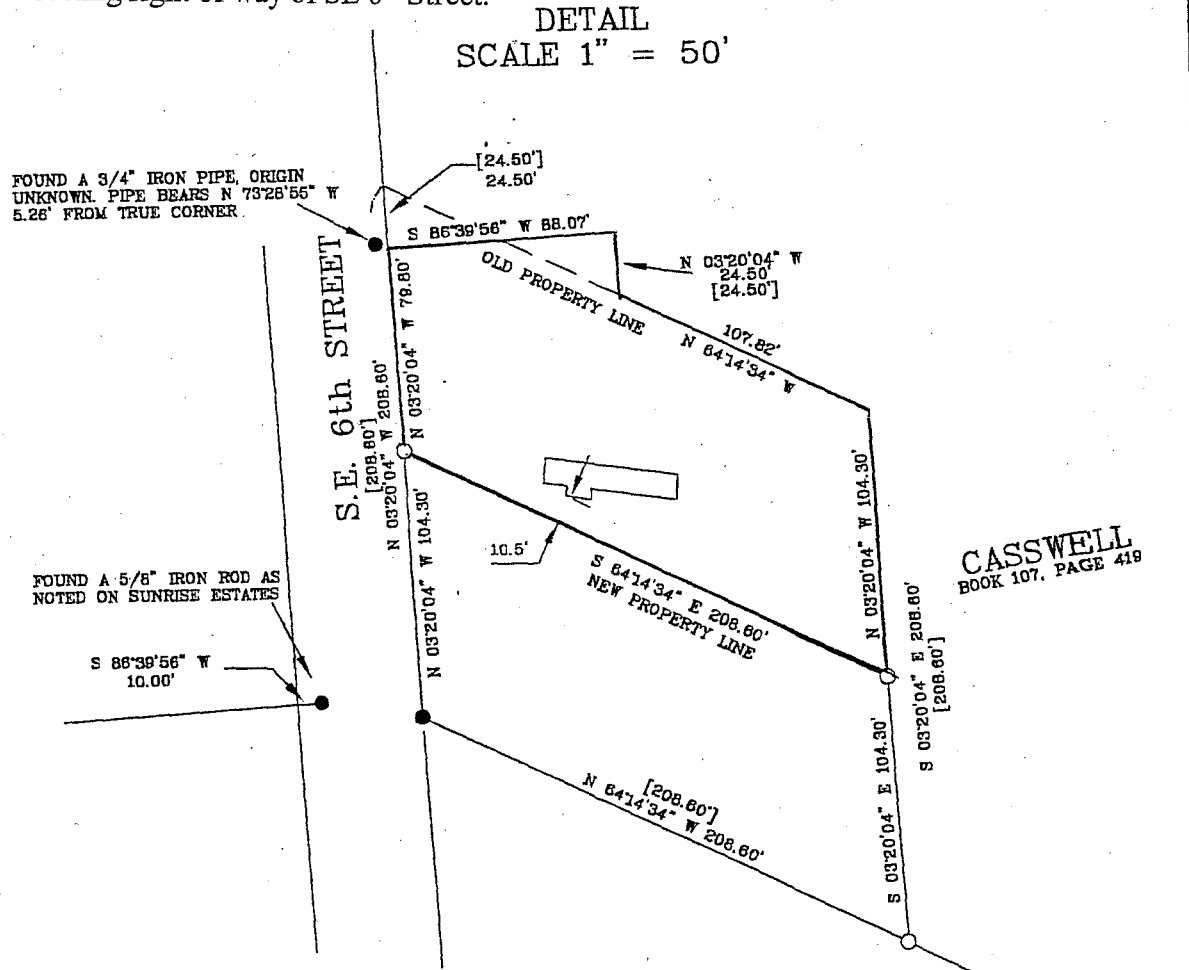
To be completed by City Staff:
 Date application was submitted: 4/13/04 Amount of Fee paid: \$500.00 Receipt Number: 1015088

Before this application will be processed, the Planner must certify that all applicable items are included and the application is complete. Date application accepted as complete: 4/28/04

Declaration of Property Line Adjustment Deed
 Ragland's Parcel 1 after Adjustment

EXHIBIT A

Beginning at the Southwest corner of that tract of land conveyed to Robert E. Casswell and Vivian R. Casswell on June 23, 1950 and recorded in Deed Book 107, Page 419, Columbia County records, said point being N 35°01'07" W 577.05 feet from the Southeast corner of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence N 03°02'04" W along the West line of said Casswell tract 104.30 feet to a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC.", said point being the true point of beginning; thence continuing N 03°02'04" W along said West line 79.80 feet to the Northeast corner of that tract of land conveyed to Daniel L. Ragland dated August 14, 1999 and recorded as Clerks Instrument No. 99-011503, Columbia County records; thence N 86°39'56" E along the North line of said Ragland tract 88.07 feet to an angle point; thence S 03°20'04" E 24.50 feet to an angle point on said North line; thence S 64°14'34" E 107.82 feet to the Northeast corner of said Ragland tract; thence S 03°20'04" E along the East line of said Ragland tract 104.30 feet to a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC."; thence N 64°14'34" W 208.60 feet to the true point of beginning, and the abutting right of way of SE 6th Street.



PROPERTY LINE ADJUSTMENT FOR
 DAN RAGLAND
 IN THE SE 1/4 OF SECTION 12,
 T3N, R2W, W.M.
 COLUMBIA COUNTY OREGON

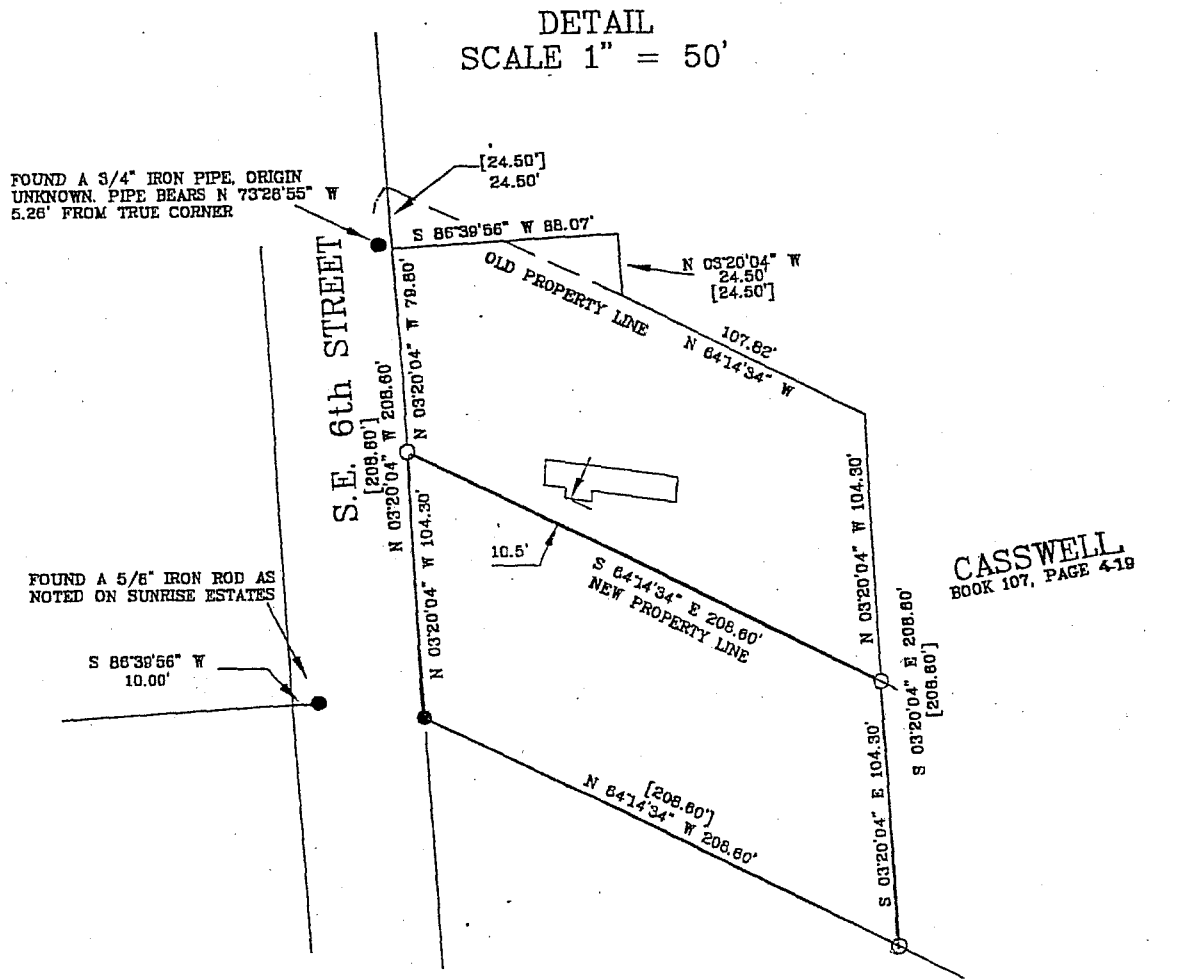
COLUMBIA COUNTY
 SURVEYORS OFFICE
 RECEIVED _____
 ACCEPTED _____

EXHIBIT A

Declaration of Property Line Adjustment and
Ragland's Parcel 2 after Adjustment

EXHIBIT A

Beginning at the Southwest corner of that tract of land conveyed to Robert E. Casswell and Vivian R. Casswell on June 23, 1950 and recorded in Deed Book 107, Page 419, Columbia County records, said point being N 35°01'07" W 577.05 from the Southeast corner of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence N 03°02'04" W along the West line of said Casswell tract 104.30 feet to a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC."; thence leaving said West line S 64°14'34" E 208.60 feet to a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC." on the East line of that tract of land conveyed to Daniel L. Ragland dated August 14, 1999 and recorded as Clerks Instrument No. 99-011503, Columbia County records; thence S 03°02'04" E along said East line 104.30 feet to the Southeast corner of said Ragland tract; thence N 64°14'34" W along the South line of said Casswell tract 208.60 feet to the point of beginning and the abutting right of way of SE 6th Street.



PROPERTY LINE ADJUSTMENT FOR
DAN RAGLAND
IN THE SE 1/4 OF SECTION 12

COLUMBIA COUNTY

CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.
P.O. DRAWER "P"
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-2955

Exhibit B

ANX 1-04/ZC 1-04

June 29, 2004

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Moderate Density Residential (R-4) for two 0.44-acre parcels of land.

Location: The subject parcels are located on SE Sixth Street across from Terri Way, and are further described as Columbia County Assessor Map No. 3212-044-00501 and 3212-044-00500. See attached vicinity map (Exhibit 2).

Applicant: Daniel Ragland

Owner(s): Daniel Ragland (for both parcels)

EXHIBITS

1. Staff Report and Findings of Fact
2. Vicinity Map
3. Application
4. Information submitted by the applicant including:
 - a. Narrative for Annexation application
 - b. Narrative for Zone Change application
 - c. Site Location Map
 - d. Reference Map and survey description of tax parcels
5. Public Notice and Vicinity Map
6. Letter from Jeannine Flynn, dated June 15, 2004

SUBJECT SITE

The site is bordered to the west, north, and east by land within the City of Scappoose. To the west of the site is SE Sixth Street, and beyond that, residences on cul-de-sacs (Terri Way and Fay Way); to the north is an existing residence; to the east is a wooded area extending approximately 150 feet, and beyond that, residences on SE Ninth Street (Elm Crossing); and to the south is an existing residence and open field.

The subject site is designated as Suburban Residential (SR) on the Comprehensive Plan map, and is currently zoned County Single-Family Residential, 10-acre minimum lot size (R-10). The zoning to the south of the parcel is also County Single-Family Residential, 10-acre minimum lot size (R-10). To the west, north, and east the immediately adjacent zoning is Low Density Residential (R-1), though beyond the wooded area on the east, the residences on SE Ninth Street (Elm Crossing) are zoned Moderate Density Residential (R-4).



OBSERVATIONS BACKGROUND

- The property is within the Scappoose Urban Growth Boundary and designated Suburban Residential on the Comprehensive Plan.
- The site is in the Scappoose Drainage District, and 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.
- The site is surrounded on three sides by property within the existing City limits.
- The site is relatively flat and supports abundant vegetation. According to the Flood Insurance (FIRM) Map 41009C0463 C, the property is located in the Scappoose Drainage District and is protected from the one percent annual chance (100-year) flood by a dike.

PROPOSED RESIDENTIAL USE

- Applicant indicates an intention to remove the existing manufactured home from Tax Lot 500 and to put the two 0.44-acre lots on the market if the annexation is successful. With areas of approximately 19,000 square feet each, these lots would meet the minimum lot size of 6,000 square feet required by the Moderate Density Residential (R-4) zone.

STREET SYSTEM AND ACCESS

- Access to the site is via SE Sixth Street, which can be reached via Elm Street or High School Way.
- At the June 24, 2004 Planning Commission hearing, there was a question regarding the width of the right of way on SE Sixth Street. According to the Scappoose Transportation System Plan, SE Sixth Street is designated as a Secondary Arterial. The City Engineer observes that the Assessor Map indicates a right of way width of 44 feet. Staff has determined that the right of way has not been dedicated for the subject properties, but will be required by the City at the time of development to bring the width up to the City of Scappoose Public Works Design Standards.

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; AT&T Broadband; Columbia River PUD; Northwest Natural Gas; Columbia County Soil Conservation District; Scappoose School District; Columbia County Board of Commissioners; Port of St. Helens; and Scappoose Drainage

Improvement Company 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.

- The Scappoose Drainage Improvement Company commented as follows: "No objection to the proposed annexation as long as property owners agree to pay the one-acre assessment charge and there is no increase of water quantity or degradation of the water quality within the Scappoose Drainage Improvement Company."
- Notice of this request was mailed to property owners located within 200 feet of the subject site on May 27, 2004. As of the date this report was written, the Contract Planner had received an inquiry about the location of the site relative to surrounding developments; in response, a supplemental map (Exhibit 2) was mailed to the property owners within 200 feet on June 10, 2004. Additionally, one letter has been submitted in regard to the request expressing an interest in preserving some of the mature trees on site (see Exhibit 6). The staff and Planning Commission will consider the preservation of any trees when a development application or building permit is filed.

The findings of fact and conclusionary findings are attached as Exhibit "A" to this report and are by this reference herein incorporated.

RECOMMENDATION

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

Therefore, staff recommends that based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, that a recommendation of **APPROVAL** of ANX 1-04/ZC 1-04 be forwarded to the City Council, subject to the following condition:

1. That the property owner agree to pay the one-acre assessment charge to the Scappoose Drainage Improvement Company and not to increase the water quantity or degrade the water quality within the Scappoose Drainage District.

EXHIBIT "A"

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

ANX 1-04/ZC 1-04 (Ragland Annexation and Zone Change)

FINDINGS OF FACT

1. The applicant is requesting approval of an application for annexation and a corresponding zone change for two 0.44-acre parcels of land planned for residential use. The subject property is located on SE Sixth Street across from Terri Way, and is further described as Columbia County Assessor Map No. 3212-044-00501 and 3212-044-00500.
2. The subject site is designated as Suburban Residential (SR) on the Comprehensive Plan map, and is currently zoned County R-10.
3. The City of Scappoose Public Works, Engineering, Building, and Police Departments; Scappoose Rural Fire Protection District; Columbia County Road and Planning Departments; Century Tel; AT&T Broadband; Columbia River PUD; Northwest Natural Gas; Columbia County Soil Conservation District; Scappoose School District; Columbia County Board of Commissioners; Port of St. Helens; and Scappoose Drainage Improvement Company 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.
4. The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:

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.*
- 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.*

POLICIES FOR PUBLIC FACILITIES AND SERVICES

- 19) *Approve annexations of new residential lands, except in the case of a health hazard, only when:*
 1. *There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.*
 2. *Sufficient in-filling of vacant land has occurred to warrant an expansion.*

Finding:

The City Engineer, Public Works Director, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services and do not object to this annexation.

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

POLICIES FOR HOUSING

- 1) *Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.*
- 10) *Ensure that the urban growth boundary is not so small as to put an artificial limit on housing opportunities and thus drive up the cost of housing.*

Finding:

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

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan because the site will assist in maintaining adequate zoning to meet the City's housing needs. In addition, the site is within the City's Urban Growth Boundary and the annexation of land within the boundary is consistent with Policy 10 that assures opportunities will be provided for new housing to assist in preventing housing costs from increasing at an artificial rate.

GOAL FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION

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

POLICIES FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION

- 3) *Promote the development of homesites at a density and standard consistent with: the level of services that can reasonably be provided, and the characteristics of the natural environment.*
- 6) *Ensure that new developments do not create additional burdens on inadequate sewer, water, street and drainage systems."*

Finding:

The proposed annexation and R-4 zoning of the site would allow construction of single-family residences or multi-family residences up to four-plexes, which is consistent with Goal 2 and Policies 3 and 6 of the Comprehensive Plan. The addition of two lots to the City would not create undue burdens on the provision of municipal services.

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

"Chapter 17.44 R-4 MODERATE DENSITY RESIDENTIAL

17.50.030 Permitted uses. *In the R-4 zone, only the following uses and their accessory uses are permitted outright: [...]*

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

F. Multifamily up to four units per lot; [...]

I. Single-family detached residential dwelling units; [...]

L. Accessory Dwelling Units (ADU's) subject to the provisions of Chapter 17.92;

M. A single-family dwelling having a common wall with one other single-family dwelling...

Finding:

Section 17.50.030 is satisfied by the request in that the applicant proposes residential uses on the site. Staff note that although the applicant anticipates single family detached residential dwelling units, additional uses (several of which are listed above) are permitted outright.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.

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

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

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

Finding:

Section 17.136.020(A) is satisfied by the request in that the proposed annexation complies with the goals and policies of the Comprehensive Plan (see Finding of Fact above). In particular, the annexation would straighten the boundary of the existing City limits. Pursuant to Scappoose Municipal Code Chapter 13.12.100, municipal sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation of the property provides for City inspection and approval of all development.

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:

Section 17.136.020(B) is satisfied by the request in that the proposed annexation site can be served by urban services and does not decrease the ability of the City to provide services. The request does not cause an unreasonable disruption of the current City boundary, and is consistent with the provisions of the Scappoose Comprehensive Plan.

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; and*

Finding:

Section 17.136.040(A).1 is satisfied since existing municipal police services can be made available to the territory immediately. Water and sewer service and public roads are available to the site, and the property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring developed properties.

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:

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

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

Finding:

Section 17.136.040(A).3 is satisfied since this annexation would provide two additional parcels totaling 0.88 acres for residential development and would create temporary employment opportunities for the construction of new residential units.

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

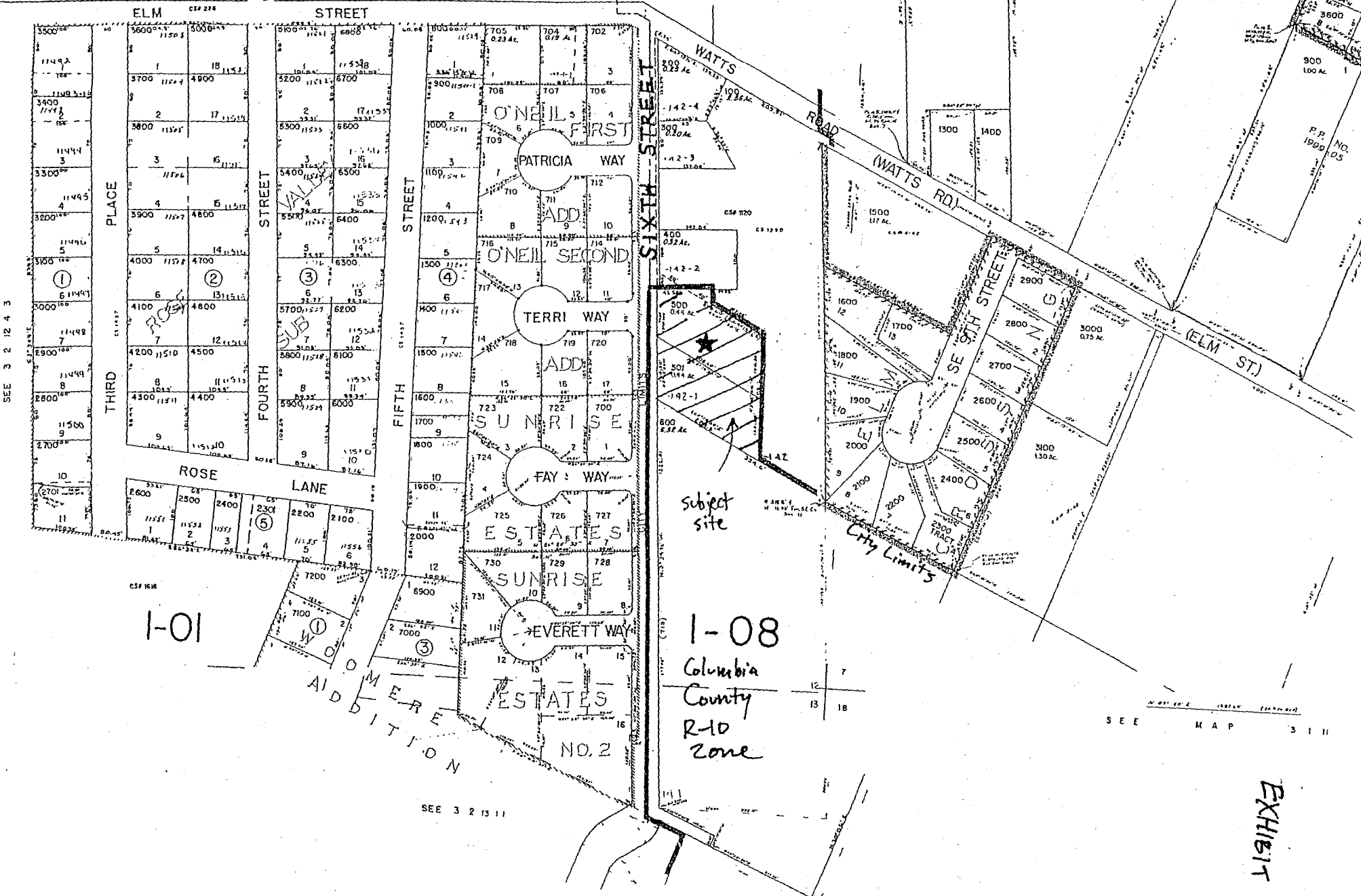
Finding:

Section 17.136.040(A).4 is satisfied since this site is contiguous to existing City limits and is surrounded on three sides by land within the City. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. The subject parcel will straighten the city limit line consistent with good urbanization patterns. No adverse social impacts are anticipated, and increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development.

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

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 100' Current Revision Date: 7/7/00

SEE 3 2 12 4 1



SEE 3 2 12 4 3

1-01

1-08

Columbia
County
R-10
Zone

ADDITION

SEE 3 2 13 11

SEE MAP 3 111

EXHIBIT 2

3 2 12 4 4

CITY OF SCAPPOOSE
 33568 East Columbia Avenue, P.O. Box P, Scappoose, Oregon 97056
 (503) 543-7146 (phone) (503) 543-7182 (fax)

Type of Application	✓	Type of Application	✓
Amend Development Code Text		Development in Fish and Wildlife Overlay	
Amend Comprehensive Plan Text		Partition	
Amend Zoning Map		Site Development Review	
Amend Comprehensive Plan Map		Conditional Use	
Annexation	✓	Expansion of Non-Conforming Use	
Determination of Similar Use		Variance	
Historic Site Alteration		Public Land Tree Removal	
Sensitive Lands Development: Flooding		Home Occupation Type II	
Sensitive Lands Development: Wetlands		Subdivision Tentative Plan	
Sensitive Lands Development: Steep Slope		Modification to Previous Approval	
Property Line Adjustment			

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

Applicant: Dan Ragland

Owner: Dan Ragland

Mailing Address: 29330 S.E. Hillyard Dr.
Boring, OR 97009

Mailing Address: same

City State Zip

City State Zip

Phone: 503-658-3957 Fax: _____

Phone: 503 658 3957 Fax: _____

Property Address or Location: S.E. 6th Street

Tax Account Number: 3212-044-00500 and 3212-044-00501

A Legal Description of the Property must be attached.

Is a pre-application conference required: no If required, pre-application conference date: _____

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

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

Daniel L. Ragland
 Signature of Applicant

Lolabelle Maplethorpe Trust / Daniel L. Ragland
 Signature of Owner 4/13/04

To be completed by City Staff:
 Date application was submitted: 4/13/04 Amount of Fee paid: \$500.00 Receipt Number: 1015088

Before this application will be processed, the Planner must certify that all applicable items are included and the application is complete. Date application accepted as complete: 4/28/04

CITY OF SCAPOOSE
 33568 East Columbia Avenue, P.O. Box F, Scappoose, Oregon 97056
 (503) 543-7146 (phone) (503) 543-7182 (fax)

Type of Application	✓	Type of Application	✓
Amend Development Code Text		Development in Fish and Wildlife Overlay	
Amend Comprehensive Plan Text		Partition	
Amend Zoning Map	X	Site Development Review	
Amend Comprehensive Plan Map		Conditional Use	
Annexation		Expansion of Non-Conforming Use	
Determination of Similar Use		Variance	
Historic Site Alteration		Public Land Tree Removal	
Sensitive Lands Development: Flooding		Home Occupation Type II	
Sensitive Lands Development: Wetlands		Subdivision Tentative Plan	
Sensitive Lands Development: Steep Slope		Modification to Previous Approval	
Property Line Adjustment		Fence/berm greater than 8'	

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

Applicant: Dan Ragland Owner: Dan Ragland

Mailing Address: 29330 S.E. Hillvard Dr. Mailing Address: Same

Boring, OR 97009

City State Zip City State Zip

Phone: 503-658-3957 Fax: _____ Phone: _____ Fax: _____

Property Address or Location: S.E. 6th Street

Tax Account Number: 3212 044 00500 and 3212 044 00501

A Legal Description of the Property must be attached.

Is a pre-application conference required: NO If required, pre-application conference date: _____

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

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

Daniel L. Ragland Signature of Applicant
Lolabelle A. Maplethorpe Revocable Trust Signature of Owner Daniel L. Ragland, Trustee

To be completed by City Staff:

Date application was submitted: 4/28/04 Amount of Fee paid: included in app fee Receipt Number: _____

Before this application will be processed, the Planner must certify that all applicable items are included and the application is complete. Date application accepted as complete: 4/28/04

APPLICATION FOR ANNEXATION
TO CITY OF SCAPPOOSE

Dan Ragland
29330 S.E. Hillyard Drive
Boring, OR 97009
503-658-3957

Property Described As:
Columbia County Tax Account Numbers
3212-044-00501
3212-044-00500

Mr. Dan Ragland is applying for annexation of the above-described property consisting of two lots, each .44 acres in size. Mr. Ragland petitions to have this annexation appear on the November 2004 general election ballot.

LOCATION

The property is contiguous to the city limits of Scappoose, Oregon on the east side of S.E. Sixth Street. Watts Road is four parcels of property to the north of subject property.

ACCESS AND CITY SERVICES

Access for these lots is from S.E. Sixth Street, an improved street. Each lot is .44 acres. Property on the west side of S.E. Sixth to S.E. Fifth is primarily subdivided into residential parcels zoned R 1 served by streets and cul de sacs. Property on the east side of S.E. Sixth, contiguous to the subject property, is zoned R 4.

City services such as water and sewer are available to the property. There are no natural features or topographic issues that would prevent development. Residential use would be compatible with the surrounding area.

The property is served by the City of Scappoose Police Department. It is presently within the Scappoose Fire District.

The annexation of these two lots would not appreciably increase demand on any city services due to the fact the final outcome of development will be only two single-family residences.

PROPOSED ZONING AND USE

Mr. Ragland proposes a city zoning of R-4 Moderate Density Residential, which would be compatible with present zoning of surrounding properties. These two lots consisting of .44 acres each would be desirable as large building lots for single-family residences.

According to the 2000 census under "Housing Tenure", 71.5 per cent of housing in the city is owner-occupied housing. The population of Scappoose continues to grow, which increases the market for property to accommodate single-family residences.

The property is contiguous with city limits. The general use of the surrounding property, particularly within the city limits is residential subdivisions. The annexation of this property will increase the inventory of available residential properties in Scappoose, thereby complying with comprehensive plan housing inventories, goals, and land availability.

APPLICATION FOR AMENDING ZONE MAP
TO CITY OF SCAPPOOSE

Dan Ragland
29330 S.E. Hillyard Drive
Boring, OR 97009
503-658-3957

Property Described As:
Columbia County Tax Account Numbers
3212-044-00500
3212-044-00501

This application is in conjunction with an Application for Annexation submitted to the City of Scappoose for the subject properties.

PURPOSE OF ZONE CHANGE

There has been a residence on this property for many years. This will not be a change in a residential use, but a change in the zoning due to the application to annex into the city. This property can be developed to county zoning standards for multi-family residential at the present time. The applicant's desire is to annex this property into the City for the purpose of continuity and best use of the lots. The annexation necessitates a zone designation of this property at this time.

LOCATION

The property is contiguous to the city limits of Scappoose, Oregon on the east side of S.E. Sixth Street.

ACCESS AND CITY SERVICES

Access for these lots is from S.E. Sixth Street, an improved street. Each lot is .44 acres. City services such as water and sewer are available to the property.

PROPOSED ZONING AND USE:

The applicant proposes a city zoning of R-4, Moderate Density Residential, which would be compatible with present zoning of contiguous and surrounding parcels. Properties to the south, east and west are presently zoned R-4. Therefore, the map designation change would be minimal and in conformation with the existing zone designations.

CONCEPTUAL DEVELOPMENT PLAN:

The applicant has no plans for developing this property himself. This zoning request is in direct relation to the Application for Annexation submitted by Mr. Ragland. The property was a family home for many years, first having a house and in later years a singlewide mobile home for Mr. Ragland's mother. The residence is still there, but will be moved if the annexation is approved. It is the desire of Mr. Ragland and his mother's estate that this property be put on the market for sale following a successful annexation.

TRANSPORTATION CORRIDORS

Access to this property is from a city street, S.E. Sixth. This street is used daily by the adjacent subdivision residents.

SIGNIFICANT NATURAL FEATURES

There are no significant natural features on this property.

ADJOINING LAND USES:

The adjoining land use is residential.

COMPATIBILITY WITH COMPREHENSIVE PLAN

The housing goals of the Scappoose Comprehensive Plan state:

Increase the quantity and quality of housing for all citizens.

The addition of two lots each consisting of .44 acres will fulfill this goal and is not in conflict. The designation of R-4 zoning will allow for either single-family homes or limited multi-family housing. Each lot is approximately 20,000 square feet, which would allow for duplex or possible triplex units. This would allow the addition of a variety of housing needs to fulfill this housing goal.

According to the census figures in 2000, the population of Scappoose was 4,976. The population figure on the City of Scappoose website is now 5,480, indicating an increase of 504 residents, or an increase of more than 10% in four years. With the increase in population comes the need for varied housing opportunities. The R4 zoning, along with the lot size, can accommodate these needs.

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

The zoning of this property to R4 Moderate Density Residential will fulfill this goal. The lots may be used for either single-family or low-density multi-family dwellings. This will incorporate a logical variety of dwellings into the area already developed by subdivisions across S.E. Sixth Street.

Locate housing so that it is fully integrated with land use, transportation and public facilities.

The location of these two lots is within an area of subdivision and development. The lots have access from S.W. Sixth Street, a city street and have access to city water and sewer. City water is presently onto the property. All public facilities are easily accessible. The development of these two lots will be compatible with existing uses in the area.

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

The zoning of these parcels will not change the existing county zoning of the property, which is residential. It will not be a conflicting land use, will not cause unnecessary through traffic and will not have undesirable influences on the surrounding neighborhood. It will be compatible with the surrounding use, which is residential.

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.**

The zoning of this property to R4 will fulfill this general goal in assuring orderly and positive residential growth, while preserving existing uses and neighborhoods. It fits in with the existing pattern of development and does not endanger the health, safety and welfare of the area.

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

The proposed zone designation of Moderate Density Residential will help to fulfill this goal for the City. This will allow for compatible housing choices in already established residential neighborhoods.

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

The zoning of this property will help to meet different needs of residents in the area.

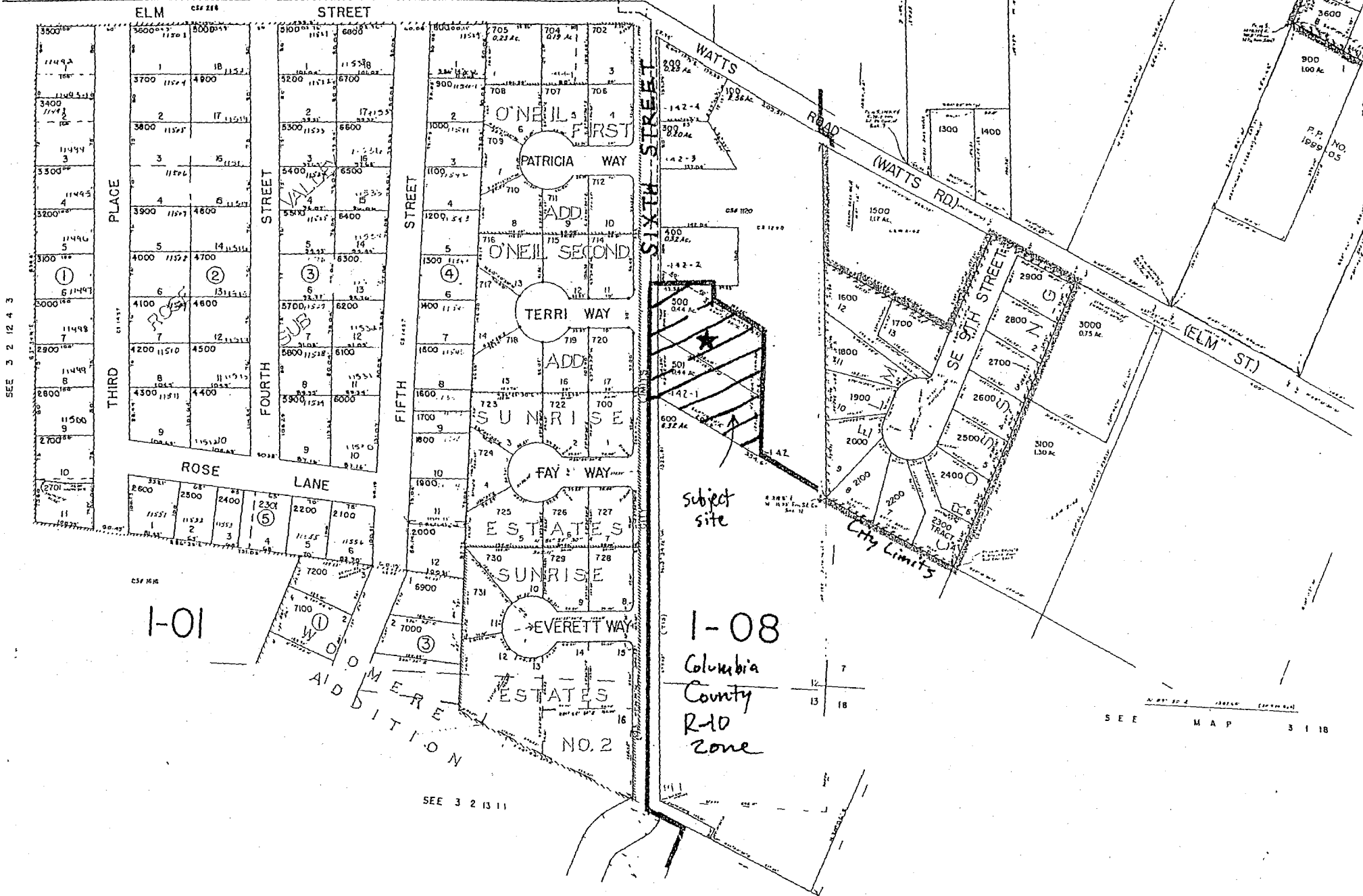
There will be no impact on the health, safety and welfare of the community with the changing of this zone from county zoning to city zoning. It will be a direct result of annexation, if approved, and will be compatible with the surrounding area, housing goals and reasonable and orderly growth of the City.

There has not been a change in neighborhood or community or a mistake or inconsistency with the Comprehensive Plan or Zoning map as it relates to this property. This is a request related to the request for annexation, which will appear on the November 2004 ballot.

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

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 100' Current Revision Date: 7 / 7 / 00

SEE 3 2 12 4 1



SEE 3 2 12 4 3

I-01

I-08
Columbia
County
R-10
Zone

SEE 3 2 13 11

3 2 12 4 4

SEE MAP 3 1 18

Revised 7.14.01

CITY OF SCAPPOOSE

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

NOTICE

NOTICE IS HEREBY GIVEN that the Scappoose City Council will hold a public meeting on the 6th day of July, 2004 at the hour of 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 ANX 1-04/ZC 1-04

Dan Ragland is requesting approval of an application for the proposed annexation and zone change of two parcels located on SE Sixth Street (Columbia County Assessor Map No. 3212-044-00501 and 3212-044-00500). Both properties are under the same ownership, and each has an area of 0.44 acres. These parcels are located within the Scappoose Urban Growth Boundary, but outside of the current city limits (current Columbia County zoning for the parcels is R-10). Applicant seeks a zoning designation of R-4, Moderate Density Residential, if the annexation is successful.

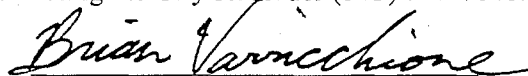
The Planning Commission has recommended that this application be *approved with conditions* in accordance with the criteria of the Scappoose Comprehensive Plan, and Chapter 17.136.040 (Approval Standards), and Chapter 17.162 (Quasi-Judicial Decision Making) of the Scappoose Development Code. If subsequently approved by the City Council, this request will go before the electorate in November 2004. 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., Monday, July 5, 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 Chapter 17.162. Failure to raise an issue in writing prior on or 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 failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Council to respond to the issue precludes an action for damages in circuit court.

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.

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.



Brian Varricchione
The Benkendorf Associates Corp.
Contract Planner

(Map of area on back)

Mrs. Jeannine Flynn
51758 SE 8th St.
Scappoose, OR. 97056

June 15, 2004

Scappoose Planning Manager
PO Box P
Scappoose, Or. 97056

RE: Double parcel – SE 6th Street

Dear Planning Manager:

I am writing in regards to the double parcel as above which is slated for public hearing in order to develop mid density housing.

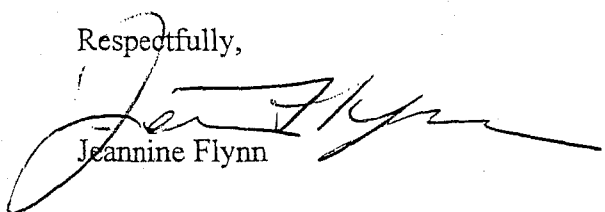
Scappoose is growing quickly and as a resident I have noticed that as with the majority of Oregon development, when new housing is built, most of the pre-existing greenery is removed and some replanting occurs after completion.

As one looks out across the new developments in our neighborhood, they appear devoid of mature greenery. Scappoose needs to preserve some of its older trees; retention of that flora will reduce the effects of weather as well as increase the monetary and aesthetic value of property.

Therefore, I respectfully submit that the developer of the 6th Street parcels be asked to save some of those older trees and greenery. Although it may be more of a challenge to build around some standing trees, in the long run, our city will be better for the foresight.

Your thoughtful and discriminating planning will be rewarded by beautiful and proud neighborhoods.

Respectfully,


Jeannine Flynn

COPY

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, March 8, 2005, a measure election will be
(Day of week) (Date of election)

held in the City of Scappoose, in Columbia County, Oregon.
(Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF TERRITORY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described parcel of territory be annexed to the City of Scappoose?

SUMMARY (150 Words)

This measure, if approved, would annex to the City of Scappoose two 0.44-acre parcels of land, located on SE Sixth Street across from Terri Way. These properties are further described in Columbia County Assessor Maps No. 3212-044-00501 and 3212-044-00500. The properties are bordered on all sides by land within the City of Scappoose.

The following authorized city official hereby certifies the above ballot title is true and complete.

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

11/4/04
Date signed

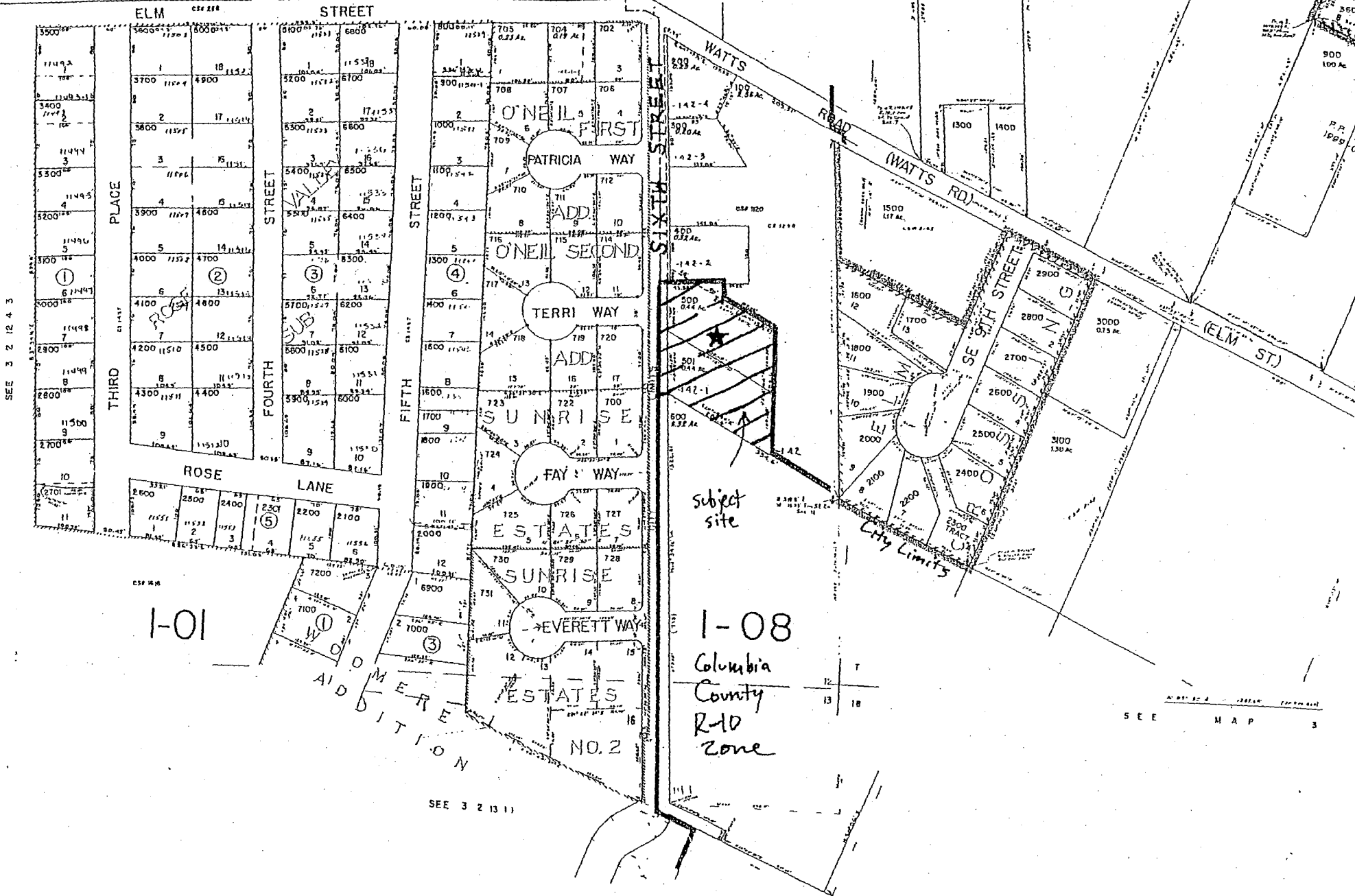
Jon G. Hanken
Printed name of authorized city official

City Manager
Title

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

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 100' Current Revision Date: 7/7/00

SEE 3 2 12 4 1



SEE 3 2 12 4 3

1-01

1-08

Columbia
County
R-10
Zone

SEE 3 2 13 11

3 2 12 4 4

Revised 7-14-04

SEE MAP 3

