

**ORDINANCE NO. 784**

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

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

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

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

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

**THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:**

**Section 1.** The application to annex the property described in 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.** Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

**Section 3.** In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated October 23, 2006, attached as Exhibit C attached hereto and incorporated herein.

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

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

**PASSED AND ADOPTED** by the City Council this 6<sup>th</sup> day of November, 2006, and signed by me in authentication of its passage.



**CITY OF SCAPPOOSE, OREGON**

  
Glenn E. Dorschler, Mayor

First Reading: October 16, 2006  
Second Reading: November 6, 2006

Attest:

  
Susan Pentecost, City Recorder



**Exhibit A**

**Legal description of property to be annexed and zoned Manufactured Housing**

Columbia County Assessor Map No. 3212-014-06000

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

Beginning at the a quarter corner on the East side of said Section 12; thence N 67°13'30" W 473 feet to an iron pipe; thence N 20°06' E 185.08 feet to an iron pipe; thence S 64°13'30" E 473 feet to an iron pipe; thence S 20°06' W 185.08 feet to the point of beginning

Containing 2.0 acres more or less.



**Exhibit B  
Ballot Title**

NOTICE OF CITY MEASURE ELECTION

City of Scappoose  
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007, 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 NORTH ROAD PROPERTY TO THE CITY OF SCAPPOOSE

**QUESTION** (20 Words)

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

**SUMMARY** (175 Words)

Donald Unger has requested that the City annex property.

This measure, if approved, would annex approximately 2 acres to the City of Scappoose. The property is located at 52525 North Road. The property is described as Columbia County Assessor Map No. 3212-014-06000. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

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

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

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Printed name of authorized city official

\_\_\_\_\_  
Title





# EXHIBIT C

## CITY OF SCAPPOOSE

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

ANX5-06/ZC5-06

October 23, 2006

*Unger Property: North Road Annexation and Zone Change*

### CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Manufactured Housing (MH) for approximately 2 acres.

Location: The subject parcel is located at 52525 North Road. The site consists of property described as Columbia County Assessor Map No. 3212-014-06000. See attached Vicinity Map (**Exhibit 1**).

Applicant: Donald Unger

Owner(s): Donald Unger

### EXHIBITS

1. Vicinity Map
2. Excerpt from Scappoose Zoning Map
3. Narrative (from Taurus Homes)
4. Concept Plan for future development (from Taurus Homes)
5. Letter from Anthony & Donna Ceruti, dated July 23, 2006
6. Letter from James Reichel (undated)
7. Letter from Heather Viereck, dated August 17, 2006
8. Letter from Mike and Kathy Johnson, dated August 17, 2006
9. Letter from North Road Community Association, dated August 17, 2006
10. Letter from Carolynn Collie, dated August 18, 2006
11. Letter from Jaicilynn Collie, dated August 18, 2006
12. Letter from Jim Reichel, dated August 18, 2006
13. Letter from Karen Blow, dated August 18, 2006
14. Letter from Jeri Waite, dated August 18, 2006
15. Letter from Jenna Collie, dated August 18, 2006
16. Letter from Helen Bohanon, dated August 17, 2006
17. Letter from Junior Peal, dated August 17, 2006
18. Letter from Carson collie, dated August 17, 2006
19. Letter from Linda di Pietro, dated August 17, 2006
20. Letter from Russ and Annette Jacobsen, dated August 17, 2006
21. August 29, 2006 Letter from Taurus Homes to Donald Unger, relinquishing contract obligations
22. Letter from Don R. Unger (undated)

**SUBJECT SITE**

- The subject site consists of one parcel with an area of 2 acres. The parcel is located on the west side of North Road. The site is immediately east of the Heritage Farm subdivision approved by the Planning Commission. See **Exhibit 1**, Vicinity Map.
- The subject site is designated as Manufactured Housing (MH) on the Comprehensive Plan map. The site is adjacent to City Limits on the south and west sides. Adjoining properties within the City are zoned Moderate Density Residential (R-4) to the south and MH to the west (see **Exhibit 2**). Adjoining properties outside City Limits are zoned Mobile Home Residential (MHR) to the north and Single Family Residential, 10,000 square foot minimum lot size (R-10) to the east.
- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.
- According to Flood Insurance Rate Map (FIRM) 41009C0463 the property is located outside the 100-year floodplain and outside the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map does not illustrate wetlands within the property.
- The site is nearly level and has existing structures and a number of mature evergreen trees.

**OBSERVATIONS**

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The site is currently zoned Mobile Home Residential (MHR) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Manufactured Housing (MH) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Manufactured Housing (MH). The applicant has not requested an amendment to the Comprehensive Plan map.
- Taurus Homes submitted the original narrative and conceptual development plan for the site (see **Exhibits 3** and **4**). However, Taurus Homes has indicated to the property owner that they are no longer involved with the site (see **Exhibit 21**). The property owner submitted a letter stating a continued interest in annexation (**Exhibit 22**).

PROPOSED RESIDENTIAL USE

- Taurus Homes and the property owner indicated an intention to subdivide the site in the future if the voters approve the annexation (**Exhibit 3**). A conceptual development plan included as **Exhibit 4** illustrates a total of 14 single-family attached residential lots. Mr. Unger's letter states that he may partition the land in the future using a different layout (**Exhibit 22**).
- The MH zone also permits duplexes, tri-plexes, four-plexes, and manufactured home parks. This application has been analyzed based on the most intense development that could occur,

which would be a manufactured home park. Assuming the street layout were similar to that illustrated in **Exhibit 4**, the site could potentially be developed with up to 25 manufactured housing units in a manufactured home park. The site could therefore support a total of 25 units rather than the 14 units illustrated in the conceptual development plan.

- Future development proposals will be required to apply for Planning Commission approval (either Tentative Subdivision Plan Review, Partition, or Site Development Review, depending on the use) to ensure compliance with the Scappoose Development Code and Public Works Design Standards. Staff would observe that the proposed layout would need refinement to account for the existing sewer line and neighborhood traffic circulation.

#### STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on North Road, which has a paved width of approximately 18 feet and a 40-foot right-of-way adjacent to the site. The City's amended Transportation System Plan (TSP) designates North Road as a Local Residential street, for which the standard right-of-way (ROW) is 54 feet. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers. In this instance, due to the narrow cross section of the existing pavement, the applicant would be required to perform additional improvements between the site and Columbia Avenue, a distance of over 400 feet. Both the City's Public Works Design Standards and the County Road Department standards require a roadway with a minimum paved width of 20 feet between a development and the nearest improved right-of-way (i.e., East Columbia Avenue).
- The concept plan illustrated a potential new public street connecting to a street stub that will be constructed with the Heritage Farm subdivision. The proposed layout does not meet the City's 600-foot limitation on block length. Revisions to the layout would be made at the time of development.
- The site is accessed by North Road, connecting to Highway 30 via East Columbia Avenue. Traffic could also travel to West Lane Road on the new street through the Heritage Farm subdivision and then connect to the highway via Columbia Avenue or Crown Zellerbach Road.
- Staff has used standard trip generation ratios published by the Institute of Transportation Engineers to estimate traffic levels from future development. If the site were developed as illustrated on **Exhibit 4** with 14 single-family residences, the site could be expected to generate approximately 135 average daily trips, 14 of them during the evening peak hour. If the site were developed with a manufactured home park (the most intense development under the MH zone), the site could be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour.
- Development of the subject site could be anticipated to require a traffic study in accordance with Section 5.0013 of the Scappoose Public Works Design Standards, which states that:

*Taurus Homes/Unger Property: North Road Annexation and Zone Change*

*The City's Engineer will require a traffic analysis report as determined by the type of development and its potential impact to existing street systems. A traffic analysis will generally be required for a development, 1) when it will generate 1,000 vehicle trips per weekday or more, or 2) when a development's location, proposed site plan, and traffic characteristics could affect traffic safety, access management, street capacity, or known traffic problems or deficiencies in a development's study area.*

Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.

- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.
- Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, telephone, and gas are provided to adjacent residential properties and could be made available through the extension of nearby lines and public service infrastructure. Water can be extended from Columbia Avenue or West Lane Road and sewer can be extended from the existing sewer manhole in North Road.
- The applicant will be responsible for managing stormwater at the time of development. The concept plan (**Exhibit 4**) depicts a potential stormwater tract in the northwest corner of the site.
- The site is outside the Scappoose Drainage Improvement District but naturally drains in that direction. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company. This evaluation would be made at the time of a review of a specific development proposal.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department, Planning Department, and Board of Commissioners; the Scappoose Drainage Improvement Company; Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 1); and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report. ODOT had no objection to the annexation. The Scappoose Drainage Improvement Company had no objection but stated that their concern was water quantity and quality.

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- Notice of this request was mailed to property owners located within 200 feet of the subject site on July 12, 2006. Notice was also posted on the property on July 7 and published in the local newspaper on July 12, 19, and 26 and August 2. Nearby residents have submitted letters expressing concerns about the potential for future development and the associated traffic, and several members of the public spoke in opposition to the proposal at the July 27 Planning Commission hearing. Residents of North Road spoke at the August 7 City Council hearing to express concerns about the impact of development on their neighborhood, with particular concerns about traffic. Residents observed that North Road is narrow and that school buses will not travel down it at this time. A second City Council hearing was held on August 21 and several members of the public submitted verbal and written testimony. At that time, the hearing was continued to October 16. Copies of the letters submitted by neighbors are attached as **Exhibits 5-20**.

APPLICABILITY OF STATEWIDE PLANNING GOALS

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

**FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL**

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

A. *Citizen Involvement (Goal 1)*

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

**Finding:**

The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on July 27, 2006 and recommended that the City Council approve the application. The City Council held hearings on August 7, 2006 and August 21, 2006 and continued the hearing to October 16. Several members of the public spoke at the Planning Commission and City Council hearings. The Applicant posted site notices on July 7, the City mailed notices to nearby property owners on July 12, and notice was published in the newspaper on July 12, 19, and 26 and August 2. This process complies with the Goal.

B. *Land Use Planning (Goal 2)*

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

**Finding:**

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

C. *Agricultural Lands (Goal 3)*

*Objective: To preserve and maintain agricultural lands.*

**Finding:**

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

*D. Forest Lands (Goal 4)*

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

**Finding:**

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

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

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

**Finding:**

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

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

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

**Finding:**

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

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

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

**Finding:**

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

*H. Recreational Needs (Goal 8)*

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

**Finding:**

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

*I. Economic Development (Goal 9)*

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

**Finding:**

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

*J. Housing (Goal 10)*

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

**Finding:**

The property proposed for annexation is designated Manufactured Housing on the Comprehensive Plan map. The proposed annexation and zone change to Manufactured Housing (MH) would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations. Furthermore, the site could only connect to City water or sewer if it were inside City Limits. If the site is developed with single-family attached residences, up to 14 units



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could be constructed, whereas if the site were developed with a manufactured home park, up to 25 dwellings could be sited.

*K. Public Facilities and Services (Goal 11)*

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

**Finding:**

The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Water will be available in the Heritage Farm subdivision, sanitary sewer can be extended from the existing sewer manhole in North Road, and storm drainage facilities would be constructed as conditions of approval for future subdivision applications.

*L. Transportation (Goal 12)*

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

**Finding:**

This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Manufactured Housing Comprehensive Plan and Zoning designations. The site falls into Traffic Analysis Zone #12, which is an area bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach logging road. In 1995, this area had a population of 196 people, and the TSP projected a population of 817 in the year 2015 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies North Road as a Local Residential street, which requires a 54-foot right-of-way width and a 32-foot pavement width. North Road does not currently meet this standard: it generally has a paved width of 18 feet and a right-of-way width of 40 feet. At the time of development, the applicant would need to perform half-street improvements on North Road to meet the City standard. The Columbia County Road Department's standards require at least 20 feet of paving on local roads. The County will require appropriate off-site improvements to existing County roads when development results in a major increase in traffic. Similarly, the City Public Works Design Standards require developments on unimproved substandard streets to be responsible for constructing a continuous 20-foot street to the nearest publicly owned improved street. Traffic analysis would be required at the time of development of this area to determine the improvements required to ensure that North Road is adequate to protect health and safety and ensure efficient traffic circulation.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed as illustrated on **Exhibit 4** with 14 single-family residences, the site could be expected to generate approximately 135 average daily trips, 14 of them during the evening peak hour. If the site were developed with a manufactured home park (the most intense development under the MH zone), the site could be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour. The City does not anticipate that this level of development would cause failure of the local street network, provided that the applicant installs appropriate street improvements at the time of development. The applicant would need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

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

*M. Energy Conservation (Goal 13)*

**Objective:** *To conserve energy.*

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

*a. Lot size, dimension, and siting controls;*

*b. Building height, bulk and surface area;*

*c. Density of uses, particularly those which relate to housing densities;*

*d. Availability of light, wind and air;*

*e. Compatibility of and competition between competing land use activities; and*

*f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.*

**Finding:**

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

*N. Urbanization (Goal 14)*

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

**Finding:**

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

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

The following goals are not applicable to this application:

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

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

TRANSPORTATION PLANNING RULE

*OAR 660 Division 12 – Transportation Planning:*

*660-012-0060 Plan and Land Use Regulation Amendments*

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

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

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

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

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

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

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

**Finding:**

Analysis of the transportation impacts from the proposed annexation and zone change can be divided into four subtopics:

1. Traffic likely to be generated from development;
2. Impact of development-generated traffic on local street segments;
3. Impact of development-generated traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from development

The most intense development of the site would consist of a manufactured home park with approximately 25 units. Based on standard trip generation ratios published by the Institute of Transportation Engineers, this level of development can be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour.<sup>1</sup>

The Transportation System Plan (TSP) analyzed traffic throughout the City. The Traffic Analysis Zone (TAZ) bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach Road encompasses the site. Based on the projected development densities envisioned in the Comprehensive Plan, the TSP anticipated that population would grow from 196 in 1995 to 817 in 2015. The annexation of this site and the application of the MH zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

2. Impact of development-generated traffic on local street segments

Traffic to and from the site will utilize North Road or the new street through the Heritage Farm subdivision. Connections to Highway 30 may be made either via Columbia Avenue or via West Lane and Crown Zellerbach Road. Columbia Avenue, West Lane Road, and Crown Zellerbach Road are classified as Major Collectors and North Road and the new street on site are designated as Local Residential streets.

This proposal does not “significantly affect” the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. However, future development of the site may require additional improvements to North Road to maintain safety. The existing North Road right-of-way has a minimum width of 40 feet and a paved width of 18 feet. The County and the City would require a minimum paved width of 20 feet along North Road between the site and East Columbia Avenue. Full determination of the required improvements would be deferred until the time of development of property in this area.

The affected street segments appear to have adequate capacity to accommodate large volumes of traffic. North Road would require improvements at the time of development

<sup>1</sup> The following trip generation ratios were used:

Single-family residences: 9.57 average daily trips and 1.01 PM peak hour trips per unit  
 Manufactured home park: 4.81 average daily trips and 0.56 PM peak hour trips per unit

to accommodate increased traffic, but the capacity-controlling facility will be the individual intersections, particularly the traffic signal at the Columbia Avenue/Highway 30 intersection and/or Crown Zellerbach Road/Highway 30 intersection (discussed below).

3. Impact of development-generated traffic on affected intersections

Traffic from development is likely to primarily impact five intersections discussed below.

a. North Road/East Columbia Avenue intersection

This is a 3-leg intersection with a stop sign on the North Road leg. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. This location does have poor sight lines due to vegetation and North Road has a narrow cross section, so improvements may be required to alleviate safety concerns as part of the construction of any future development. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

b. East Columbia Avenue/West Lane intersection

This is a 4-leg intersection with stop signs on the north and south legs. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Geometric improvements will be made at this location as part of the construction of the Harmony Park subdivision, which will improve safety at the intersection. The proposed annexation and zone change does not "significantly affect" this intersection.

c. West Lane Road/Crown Zellerbach Road intersection

This is a 3-leg stop-controlled intersection. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Crown Zellerbach Road was designed with turn lanes at its intersection with West Lane Road. Signal conduit was previously installed at the intersection of West Lane Road and Crown Zellerbach Road in anticipation of the possibility that at some point in the future, traffic signals may be required at that location. It is unlikely that traffic would meet warrants for signalized intersections at these locations due to the annexation and zone change. The proposed annexation and zone change does not "significantly affect" this intersection.

## d. Highway 30/Columbia Avenue intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelton & Associates, October 2002) indicates that the Highway 30/Columbia Avenue intersection will operate at a Level of Service "B" in the morning peak hour under the "base growth" and "full growth" scenarios, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). The Rail Corridor Study stated that the intersection currently operates with a volume-to-capacity (V/C) ratio of 0.74, which meets ODOT's mobility standard of 0.75. The same study indicates that even with no additional development of this site, this intersection will operate at a V/C ratio of 0.89 in the future in the "base growth" scenario and a V/C ratio of 0.94 in the "full growth" scenario. ODOT Region 1 has jurisdiction over this intersection and has stated that this proposal has no significant effect on Highway 30. The proposed annexation and zone change does not "significantly affect" this intersection.

## e. Crown Zellerbach Road/Highway 30 intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelton & Associates, October 2002) indicates that the Highway 30/Crown Zellerbach Road intersection will operate at a Level of Service "B" in the morning and evening peak hours under the "base growth" scenario, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). As discussed for previous annexation applications, airport-area development may generate more traffic than the Rail Corridor Study anticipated (on the order of 525 peak hour trips rather than 225 peak hour trips). The additional trips would not materially degrade the operation of this intersection. This intersection is under the jurisdiction of ODOT, and ODOT previously determined that the planned improvements to West Lane and the prior improvements to Crown Zellerbach Road "are sufficient to avoid degradation of the ODOT mobility standards for the Hwy 30 intersection at Crown Zellerbach Road." ODOT Region 1 has jurisdiction over this intersection and has stated that this proposal has no significant effect on Highway 30. The proposed annexation and zone change does not "significantly affect" this intersection.

4. Transportation impact conclusions

Based on trip generation levels applicable to the MH zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan. Development of the site will generate on the order of 14 evening peak hour trips, which will have a minor impact on affected street segments and intersections.

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

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

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

GOAL FOR PUBLIC FACILITIES AND SERVICES

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

*Goals 5-11 are not applicable to this application.*

POLICIES FOR PUBLIC FACILITIES AND SERVICES

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

*Taurus Homes/Unger Property: North Road Annexation and Zone Change*

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

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

**Finding:**

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

*Fire & Police Protection*

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

*Streets*

- The North Road right-of-way generally has a 40-foot width and an 18-foot paved cross-section. The paved width would be required to be widened to accommodate the traffic from future development proposals. The City would require half-street improvements along the site's frontage as a condition of future development, and the City and County would require off-site improvements to widen the section of North Road between the site and Columbia Avenue.

*Schools*

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



*Taurus Homes/Unger Property: North Road Annexation and Zone Change*

*Water Service*

- There is an existing City water line in Columbia Avenue to which the property would have access upon annexation, with extensions to be installed by the developer. The site could also connect to the water line planned for the Heritage Farm subdivision.

*Sewer and Storm Drainage*

- The nearest sanitary sewer main is in Columbia Avenue. The applicant would need to install additional sewer up North Road to tie into the existing sewer manhole in the street. The proposal to connect to planned sewer in the Heritage Farm subdivision is infeasible due to topographic constraints.
- There is no public storm drain system in the immediate vicinity of the site. The applicant would likely need to manage stormwater on site. The applicant has illustrated a potential storm tract in **Exhibit 4**. The storm drainage system would be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

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

GENERAL GOALS FOR LAND USES

- 1) *The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.*
- 6) *Residential living areas should be safe, attractive, and convenient, and should make a positive contribution to the quality of life and personal satisfaction of the residents; additionally, there should be sufficient areas for a wide range of housing choices.*

**Finding:**

The subject property is located in the UGB immediately adjacent to land zoned MH and R-4 by the City. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with new residential development, including public streets with curbs and sidewalks. The MH zoning permits single-family residences, duplexes, tri-plexes, four-plexes, and manufactured home parks, which provide a range of housing choices.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

- 1) Increase the quantity and quality of housing for all citizens
- 2) Locate housing so that it is fully integrated with land use, transportation and public facilities
- 3) Not applicable
- 4) Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.

POLICIES FOR HOUSING

- 1) Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.
- 7) Ensure that subdivisions provide a full array of public services at the expense of the developer.

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

**Finding:**

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

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

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

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

*Taurus Homes/Unger Property: North Road Annexation and Zone Change*

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

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

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

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

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

**Finding:**

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

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Manufactured Housing (MH) zoning designation since the site had a "Manufactured Housing" Comprehensive Plan Map designation. The applicable comprehensive plan policies are outlined above.

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

The zone change to MH implements the Manufactured Housing Comprehensive Plan designation. The proposed annexation would permit new development consistent with the existing residential character, which would reinforce and enhance a residential neighborhood. The annexation and zone change could allow up to 25 dwellings, which would not adversely affect health, safety, and welfare.

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

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

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

The subject site is designated Manufactured Housing in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Manufactured Housing (MH) is consistent with the Comprehensive Plan.

Chapter 17.54 MH MANUFACTURED HOUSING

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

[...]

2. Duplex;

[...]

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

[...]

6. Multifamily up to four units per lot;

[...]

9. Single-family detached residential dwelling units.

[...]

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

**Finding:**

A variety of residential uses is permitted within the MH zoning district. Future development proposals would be reviewed for consistency with the permitted uses in the proposed zone. Section 17.54.030 is satisfied.

Chapter 17.88 AO PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

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

*Taurus Homes/Unger Property: North Road Annexation and Zone Change***Finding:**

As defined by Chapter 17.88, the site falls within the airport direct impact boundary. According to Table 17.88.1 in the Scappoose Development Code, no limitations are placed on residential development within the direct impact boundary. Section 17.88.030 is satisfied.

Chapter 17.136 ANNEXATIONS17.136.020 Policy.

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

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

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

**Finding:**

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

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

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

**Finding:**

The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services within a reasonable time and does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

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

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

**Finding:**

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

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

The facility planning for the City's water and wastewater treatment facilities assumed that this site would be zoned MH. The site could be developed with approximately 25 housing units if a manufactured home park were constructed.

The wastewater flow associated with 25 residences is 3,125 gallons per day (0.003 MGD), using an average of 125 gallons per day per household.

The North Interceptor into the Wastewater Treatment Plant has a capacity of 2.3 MGD; therefore the 25 additional households would use approximately 0.1% of that capacity. The treatment plant has the capacity to accommodate the residences that could be constructed on this site.

The City's existing surface and subsurface drinking water sources can produce in excess of 1,600 gallons per minute. The Water Treatment Plant and Water Wells have the capacity to serve the additional residences from this site.

*Taurus Homes/Unger Property: North Road Annexation and Zone Change*

North Road currently does not meet the City's standards for local residential streets: it has a paved width of 18 feet within a 40-foot right-of-way. However, improvements would be required as conditions imposed on future development. The County Road Department would require a minimum paved width of 20 feet in accordance with their standards for local streets. Additional improvements may be identified as part of traffic impact analysis performed in conjunction with future development proposals. The Council can conclude that North Road can be made adequate with appropriate improvements.

Section 17.136.040(A).1 is satisfied.

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

**Finding:**

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

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

**Finding:**

This annexation would provide an additional 2 acres for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A).3 is satisfied.

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

**Finding:**

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. Water service is available to the site from Columbia Avenue or from the new street in the Heritage Farm subdivision, and police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to downtown Scappoose. Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A).4 is satisfied.

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

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

**Finding:**

The site has a Comprehensive Plan designation of MH, Manufactured Housing. Upon annexation, the site would automatically be zoned MH, Manufactured Housing. The findings demonstrate that the City's infrastructure has the capacity to absorb development of this site. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

*17.162.090 Approval authority responsibilities. [...]*

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

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

**Finding:**

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

**RECOMMENDATION**

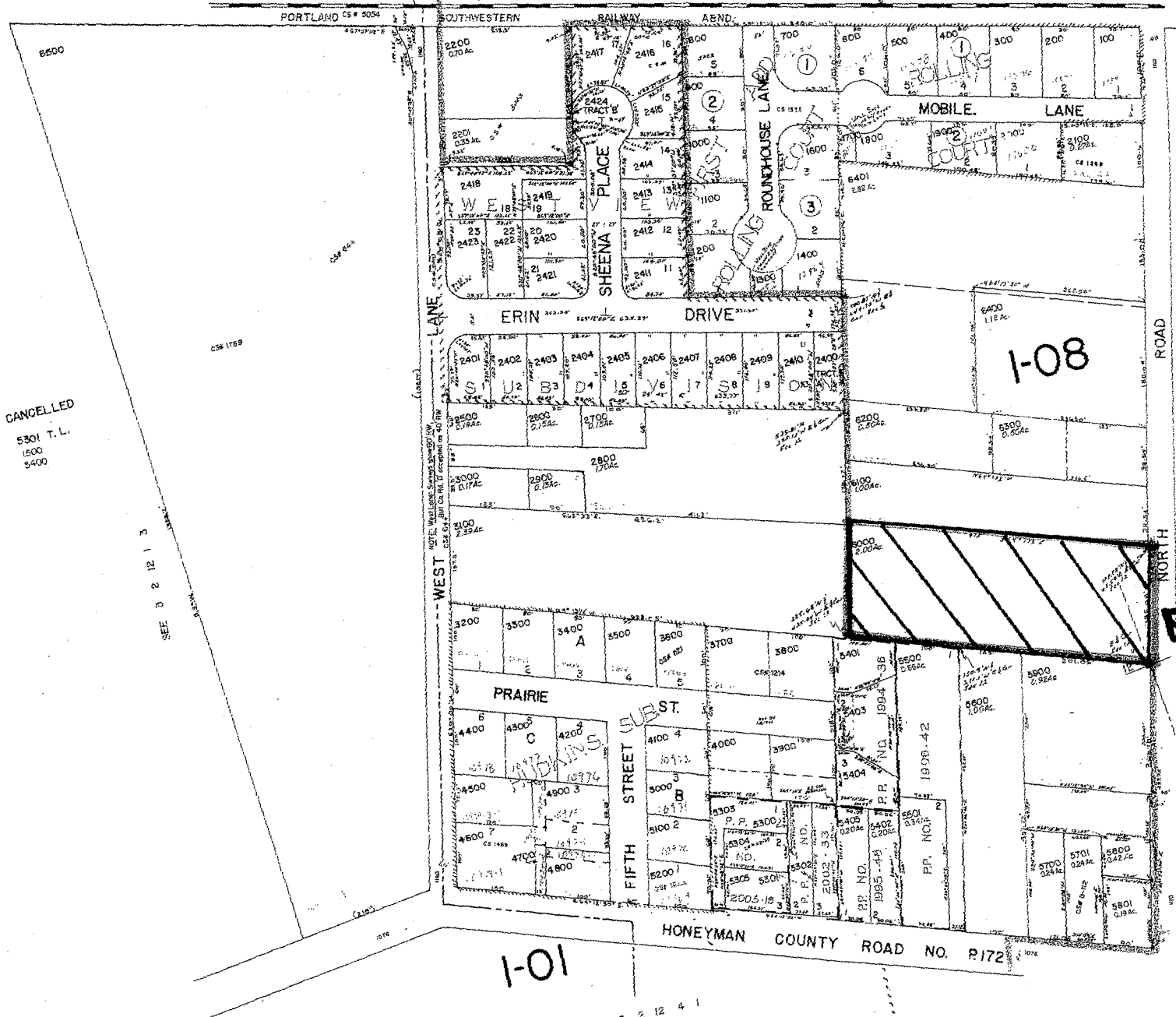
Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, the Planning Commission and staff recommend **APPROVAL** of the application ANX5-06/ZC5-06 for placement on the May 15, 2007 ballot.



SE 1/4 NE 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: 7/1/05  
SEE 3 2 12 1 1

CSF 077  
051107

TAX LOTTED ON MAP 3 - 2



CANCELLED  
5501 T.L.  
1500  
5400

SEE 3 2 12 1 3

SEE 3 1 1 3

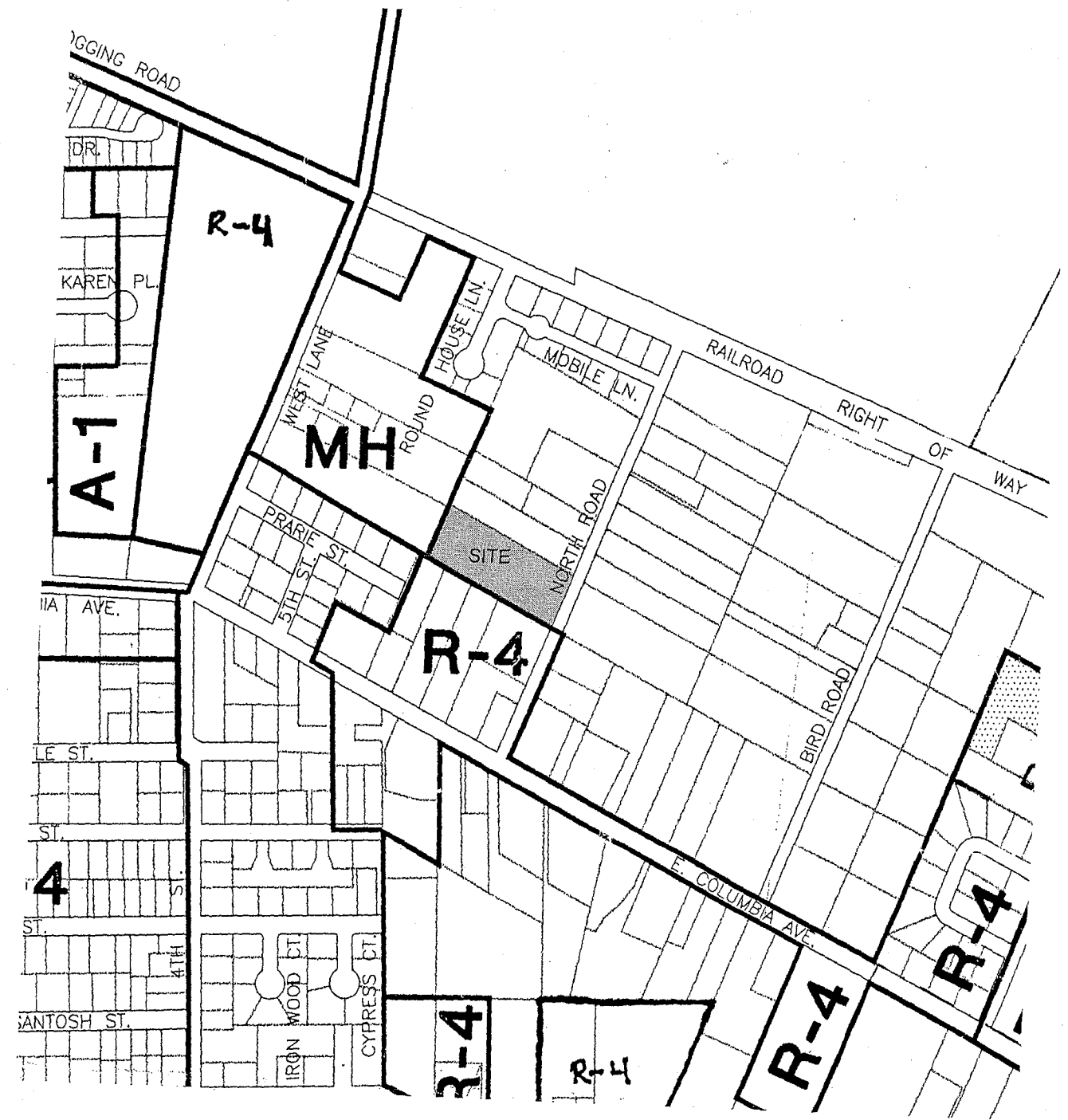
← SITE  
Exhibit 1

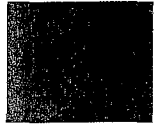
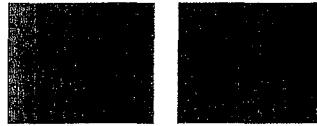
3 2 12 1 4

1-01

SEE 3 2 12 4 1

Excerpt from Scappoose Zoning Map  
ANX 5-06/ZC 5-06  
July 2006





52525 North RD

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## Annexation Application

Scappoose, Oregon

**APPLICANT:**

Taurus Homes  
~~19130 SW Alexander St.~~  
~~Aloha, OR 97006~~

29345 NW West Union Rd  
North Plains, OR 97133

**APPLICANT'S REPRESENTATIVE:**

Kenneth L. Sandblast, AICP  
*Planning Resources, Inc.*  
7160 SW Fir Loop, Suite 201  
Portland, OR 97223  
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**PREPARED BY:**

Dan Jung  
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June 7, 2006

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## PROJECT SUMMARY

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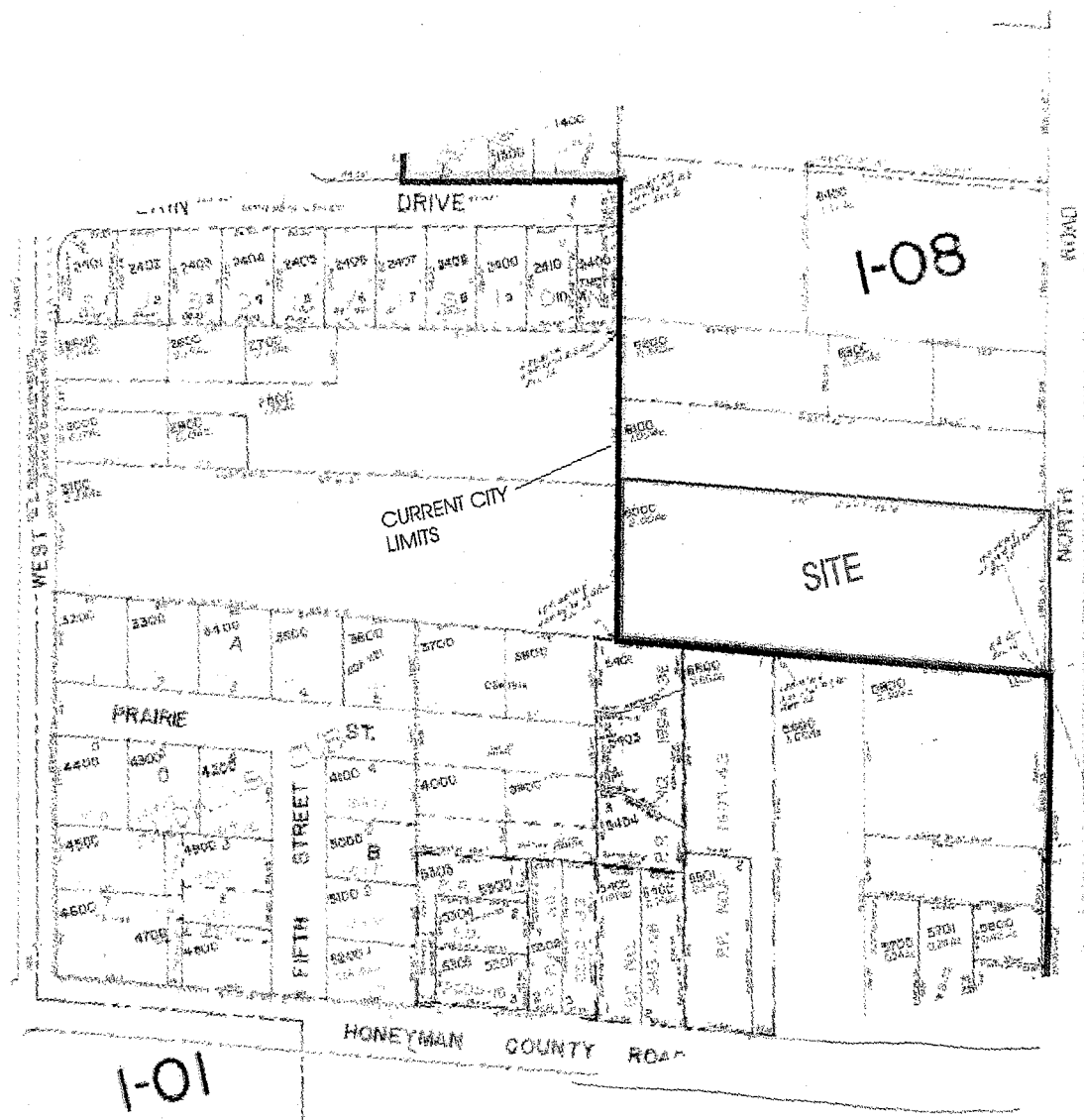
### Project Description:

Location 52525 North RD.  
Legal Tax Lot 6000, T3N R2W Section 12-1-4  
Comprehensive Plan Manufactured Housing (MH)  
Zoning Proposed Zoning: Manufactured Housing (MH)  
Site Size 2.00 Acres

The subject site lies west of North Road (north of Columbia Ave; south of Mobile Lane). The site contains one existing single-family residence. Vegetation consists primarily of pasture grass with number mature trees. Access is taken from North RD along the east boundary; all other property lines abut residential properties.

The site's western and southern property lines abut the current City limits. Adjacent properties within the City limits have been developed with subdivisions consistent with the City's standards. Properties to the north and east are large lots subject to Columbia County's zoning requirements.

The applicant (Taurus Homes) is also the owner of the Heritage Farm subdivision property directly west of the subject site. Heritage Farm has recently received Preliminary Plat approval, and is currently obtaining construction plan approval and final plat recording. The approved Heritage Farm plat includes a public right-of-way extension from West Lane Road, to the subject site's western boundary. This right-of-way will include essential public utilities.



I-01

Vicinity Map

Planning Resources, Inc.  
Taurus Homes

## FINDINGS

### APPROVAL CRITERIA:

The criteria and standards that apply to this application are as follows:

#### City of Scappoose Development Code

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

17.22.030 Quasi-Judicial Amendments.

Chapter 17.136 Annexations

Chapter 17.162 Procedures for Decision Making—Quasi-Judicial

#### City of Scappoose Comprehensive Plan

Goals and Policies for Public Facilities and Services, Transportation, Housing, General Goals for the City of Scappoose for Land Uses, Urban Growth Boundary, General Residential, and Suburban Residential.

The following Goals and Policies do not apply to this request: Economic and Natural Factors and Local Resources, and under the Land Use Goals and Policies, Mobile Home, Commercial, Industrial, Public and Semi-Public, Hazard Area, and Open Space.

In the following discussion of criteria and standards, code requirements are indicated by italics, response and discussion in plain text.

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

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

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

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

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

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

### **APPLICANT RESPONSE**

The application involves both an annexation, as provided in Chapter 17.136, and application of the appropriate zoning designation. Both actions are to be considered by the Planning Commission, which makes a recommendation to the City Council.

Response to Criterion 1: No change to the Comprehensive Plan is proposed, as the site is within the Urban Growth Boundary and designated for residential use as part of the City's future needed land supply.

Goals and policies in the Comprehensive Plan are intended to apply to the City generally and not necessarily to a specific property or project. Goals and policies form the basis for developing implementation strategies and ordinances, and any proposal should at minimum be generally consistent with the City's overall intentions for growth and development.

The following goals and policies apply to this request:

Goals and Policies for Public Facilities and Services: In summary, goals and policies for public facilities and services require that an adequate level of services be available for new development and be directed to newly developing areas within the UGB.

Herein below public facilities will be discussed:

*Streets:*

The site has approximately 185-ft of frontage on North Road. The approved Heritage Farm preliminary plat identifies a new public street stub extending from West Lane Road to the western property line of the site, and an intersection extending north along the property line shared by the subject site and the Heritage Farm property. Subsequent to annexation, future development of the site will include extension of the east-west street stub to North Road, and the full improvement of the north-south street stub. The new block created by the public street extension between West Lane Road and North Road will provide better access for local residence in the surrounding neighborhoods. Currently the only vehicle access to North Road is via Columbia Ave. A new connection between North Road and West Lane Road will allow for an additional access route to all parcels on North Road.

*Sanitary Sewer:*

A public sanitary sewer main currently exists in West Lane Road. A lateral to this main will be extended to the west property line of the subject site, within the public right-of-way, as a part of the required public improvements associated with the Heritage Farm subdivision. This line can be extended to serve future development of the site at the time of development. Additionally, Columbia Ave, south of the site, contains a public sanitary sewer main. If necessary, this line can be extended up North Road to serve the site.

*Domestic Water:*

A public water line currently exists in West Lane Road. A lateral to this line will be extended to the west property line of the subject site, within the public right-of-way, as a part of the required public improvements associated with the Heritage Farm subdivision.

*Stormwater:*

Soil conditions in the area are generally amicable to stormwater management infiltration systems – as demonstrated by the proposed Heritage Farm storm tract. Future development will submit stormwater management design plans for review and approval with the City of Scappoose.

*Schools:*

The site is served by the City of Scappoose School District 1J. According to the City of Scappoose Comprehensive Plan, the Scappoose School district encompasses 118 square miles including areas outside of the City limits but within Multnomah and Washington Counties. The site is well served by schools for all grades. Additional impact to the system because of the



proposed development is not expected, the overall student population for the district continues to be stable.

*Police Protection:*

In the Fall of 2003, the current population of the City of Scappoose was 5,260 with 32,000 vehicles driving along Hwy 30 through Scappoose everyday. The Scappoose Police Department is comprised of a Chief of Police, Lieutenant, eight sworn police officers, one office specialist, and a reserve unit of four volunteer officers and a police chaplain. According to the City of Scappoose Comprehensive Plan (1991), factors to consider when assessing adequate police protection include: rate of growth, increase in traffic problems and types of families moving into the area. To be able to assess the impact the proposed development would have on the existing police department these factors will be discussed.

**Rate of Growth:** The proposed development requests approval for annexation into the City of Scappoose with a proposed zoning of MH, Moderate Density Residential. The annexation of the site into the City could potentially allow for the development of approximately 14 single-family homes. The rate of growth examined from 1960 to 1991 showed that the population to have tripled in this time-period. The consensus in 1991 was to curb growth. However, growth in the area was attributed to the City's proximity to Portland and the attractiveness of the area. It was suggested that the negative impact to the area was not so much the rate of growth but the reaction of the growth to build multi-family dwellings rather than single-family dwellings which significantly changes the characteristic of the City. The development proposed in this case supports the housing and population goals outlined in the City's Comprehensive Plan to allow growth and re-establish home ownership in the area. The housing goal for the area would support single-family housing.

**Traffic:** The site is located north of Columbia Ave and east of West Lane Road. Currently the only vehicle access to North Road is via Columbia Ave. Extension of the right-of-way as depicted on Heritage Farm – Future Street Plan will improve the traffic pattern, and emergency vehicle access, by creating a second route to North Road.

**Types of Families:** The City's comprehensive plan outlines the MH Zone as moderate density residential and high density manufactured homes in manufactured home parks. This density will encourage families with one or two adults employed in the household and encourage "suburban-type" living. There is no detailed demographic information available for the City, but a likely conclusion to make is that a family-oriented moderate-density area is less likely to generate crimes that impact police services.

**Fire Protection –** Fire protection is provided by Scappoose Rural Fire District. According to details from 1991 Comprehensive Plan, the district currently has five engines, two tankers, two ambulances, one brush unit, one rescue and two utility vehicles that are in excellent condition. The combined fire and ambulance service area is 100 square miles with a population of 11,000. The current I.S.O. rating is 4 in the City and 8 in rural areas. The station is located at 52751 Columbia River Hwy less than 1 mile from the site. The impact to the fire protection services is relatively low given the expectation of growth in the area and access to the site. The Fire Department intends to convert to a regular full time paid department by 2010.

The proposed annexation supports these goals and policies, by providing a logical and orderly extension of streets and public facilities from temporary terminations at the site's boundaries. Discussion with representatives of the City raised no areas of concern for capacity or system deficiency, and the site is within the UGB where the City expects to expand to provide services.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Transportation: In summary, goals and policies of the city call for connectivity and provision of alternative means for traveling between destinations. The proposed annexation fits within the overall framework of the City's Transportation System Plan, by allowing connections between local streets temporarily terminated at the site's west boundary. New streets will be constructed to city standards and will include, as required, sidewalks for pedestrians in addition to travel-ways for vehicles including bicycles.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Housing: The City's goal is to provide adequate housing for all residents. Policies carry out this goal by maintaining an adequate supply of buildable land and requiring new development concurrent with provision of public facilities and services.

The site is within the City's UGB and is, therefore, part of the land designated for future residential development. Because public facilities and services are available, including an east-west street connection, the applicant believes that the timing is appropriate for the City to annex the site so that development in compliance with the City's requirements can occur.

General Goals for the City of Scappoose for Land Uses: The City has established general goals that, succinctly stated, call for the orderly development of land uses, compatible relationships with adjoining uses, and a balancing of uses, including housing that meets the needs of residents.

Goals and Policies for the Urban Growth Boundary: The City's goals and policies call for maintaining an adequate supply of buildable land and designating locations of uses to maintain harmonious and balanced relationships. These goals and policies are largely beyond the reach of any single property owner, and the applicant notes only that the site is designated for future residential use. Annexation would enable the land to be used as planned.

Goals and Policies for General Residential: The City's goals and policies are aimed at providing higher density development in the areas of the community where supporting facilities such as shopping and transportation routes are established. In addition, the City aims to protect residential uses from intrusive uses that would harm livability.

Goals and Policies for Suburban Residential: New moderate density residential or high density manufactured home development within the City limits will be required to make provisions for streets, public sewer, and public water, along with other necessary facilities. New development within the Suburban Residential area will provide opportunities for a range of housing choices, while maintaining a suburban character.

This discussion of applicable goals and policies demonstrates that the proposed annexation complies with the City's Comprehensive Plan.

Response to Criterion 2: No adverse impact on the community's health, safety or welfare is anticipated, as the request is consistent with the Comprehensive Plan and necessary public facilities are readily available, with capacity, to serve the site.

Response to Criterion 3: The applicable standards of the Development Code are discussed in this development, and are shown to be satisfied.

Response to Criterion 4: The change in the community that justifies the proposed annexation and zoning designation has to do with growth and the need for additional land for new housing. Scappoose, like many communities within commuting range of the Portland metropolitan area, has experienced an increase in population as available, affordable land there has been developed. This sort of change, that is, growth in Scappoose, was anticipated when the site was included within the UGB.

The applicable criteria of this section are shown to be satisfied.

#### Chapter 17.136 Annexations

This chapter provides both policies and process for consideration and approval of 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 services to the area;*
- 4. The annexation would be clearly to the city's advantage in controlling the growth and development plans for the area.*

*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.*

#### **APPLICANT RESPONSE**

The proposed annexation is consistent with the City's comprehensive plan. As previously discussed, the proposal complies with plan policies and is within the City's UGB. It is part of the supply of land intended to provide for the City's growth.

As discussed, the site is located with a street stubbed to the west property line. Utilities are available and can be extended to serve new development. Therefore, it would not be logical to skip over this site, and would leave a gap, where public facilities and services were not extended to and through this site.

The site would be zoned MH upon annexation, and would accommodate future development of approximately 14 new residences on this 2 acre site, which amounts to a minor increment of the city's service costs. Further, as the site is within the UGB and its development is anticipated

through capital facilities planning and construction of capacities, annexing the site would allow its development with uses that would produce revenue to pay for previous expenditures.

The proposed annexation supports the City's adopted plan and policies, as represented by the comprehensive plan and the established UGB. Therefore, it would be to the City's advantage to annex the area.

The "disadvantages" listed in Section B are opposite to the criteria in Section A, discussed in the previous paragraphs. The proposed annexation is consistent with the City's comprehensive plan, provides for a logical and orderly extension of the City's boundary and public services, and urban services can be made available to new development by extending existing public services.

Therefore, the proposed annexation is consistent with the City's policies.

*17.136.030 Administration and approval process.*

This section outlines the approval process for an annexation. The City requires an application, and hearings before the Planning Commission and City Council before a decision by the Council. If approved, the annexation is referred to voters at the next election.

By and large, the City manages the process. The applicant's responsibility is to provide an application that satisfies submission requirements of Sec. 17.136.050 and to demonstrate that the proposal complies with Approval standards of Sec. 17.136.040.

*17.136.040 Approval standards.*

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

- 1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;*
- 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;*
- 3. The need for housing, employment opportunities and livability in the city and surrounding areas;*
- 4. The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

**APPLICANT RESPONSE**

As noted above all necessary services and facilities are available to the site,

As noted, the area proposed for annexation would add approximately 14 new dwellings. This minor increase in population would not have a major impact on provision of public services.

Connections to the City's road network have been provided at the site's west property line, anticipating future extensions of streets and connections for new and existing residents.

The annexation and subsequent development of this site is needed to provide housing opportunities for the City's anticipated population. It is reasonable to expand the City's

boundaries within the established UGB, when services are available and can be reasonably extended.

As previously noted, the site already has links to existing public utilities and facilities, through the streets stubbed to the west and Columbia Ave to the south. These connections were established to facilitate future development on the site, and to enable future growth and development along the City's boundary.

For these reasons, and the reasons listed in response to Sec. 17.22.030, this proposal satisfies the approval criteria.

*17.136.050 Application submission requirements*

**APPLICANT RESPONSE**

An application has been submitted that satisfies requirements of this section.

*17.136.060 Annexation initiated by city.*

**APPLICANT RESPONSE**

This annexation is initiated by the property owner.

*17.136.070 Zoning upon annexation.*

**APPLICANT RESPONSE**

The Comprehensive Plan designation for the area is MH – Manufactured Housing, which requires the zoning designation of Manufactured Housing (Chapter 17.54) be applied to the site upon annexation.

*17.136.080 Annexation of non-conforming uses.*

**APPLICANT RESPONSE**

No non-conforming use is involved. This section does not apply.

*Chapter 17.162 Procedures for Decision Making—Quasi-Judicial*

**APPLICANT RESPONSE**

This Chapter sets forth the procedures for decision-making, including requirements for notice and public hearings. These requirements will be applied through the review process.

## C O N C L U S I O N

The foregoing narrative describes the proposed annexation and designation of Manufactured Housing zoning, and discusses the City's applicable criteria and standards. The proposal has been shown to satisfy applicable requirements identified in the City's Development Code, including pertinent policies in the Comprehensive Plan and. Therefore, the proposed annexation should be approved.

Reasonable conditions of approval could be applied to the decision to approve an annexation. However, a more appropriate time for consideration of conditions would be once the annexation has been approved, through the review of a development proposal when the actual impacts of a project can be determined.



DESIGNED	DJ		
DRAWN	DJ		
SCALE	1" = 60'		
DATE	06-07-06		
FILE	06-TAU-5xx	DATE	NO.
			REVISION

**planningResourcesinc.**  
*land use and site planning*  
 7160 SW Fox Loop, Suite 201  
 Portland, OR 97225  
 503.984.0220  
 503.982.2748 Fax

APPLICANT: TAURUS HOMES  
 PO BOX 807  
 NORTH PLAINS, OR 97133

**52525 NORTH ROAD  
 CONCEPT PLAN**

SHEET:  
**1/1**



DESIGNED:	DJ		
DRAWN:	DJ		
SCALE:	1" = 60'		
DATE:	06-07-06		
FILE:	06-TAU-5xx	DATE	NO.
		REVISION	

**planningResourcesinc.**  
*land use and site planning*

7160 SW El-Loop, Ste# 201  
 Portland, OR 97223

503 884-1020  
 503 692-2745 Fax

APPLICANT: TAURUS HOMES  
 PO BOX 807  
 NORTH PLAINS, OR 97133

**52525 NORTH ROAD**  
**CONCEPT PLAN**

**Anthony I. & Donna K. Ceruti**

52488 North Road

◆ Scappoose, OR 97056 ◆

Exhibit 5

503/543-5693

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July 23, 2006

City of Scappoose  
Planning Commission  
33568 E. Columbia Avenue  
Scappoose, Oregon 97056

RE: Docket #ANX 5-06/ZC 5-06  
Proposed Taurus Homes Annexation and Subdivision

We strongly object to the rezoning of North Road from a "Suburban Residential" zone to a "Manufactured Home, Moderate Density Residential." When we purchased our home, this suburban residential zoning and the lack of crowding was the reason why we moved to Scappoose. I'm sure that this reason might be the same reason why the majority of our elected officials purchased their homes. Please deny this rezoning.

We also strongly object to the proposed road connection to North Road. We believe that North Road needs to be fully improved to applicable City standards, including sidewalks, curbs, gutters, bike lanes and street lights. These improvements need to extend all the way from the proposed new connection to Columbia Boulevard.

Until these improvements are implemented, only emergency vehicles and local residents should be allowed access on North Road. Construction traffic should be prohibited until the necessary provisions and improvements are made. Construction vehicles make numerous trips to achieve their goals. The wear and tear on existing roads and the danger to existing residents are a major concern. There are many children in the neighborhood and their safety, along with the other residents, should be first and foremost on the City's (and elected official's) priority list. In addition, construction vehicles should not be allowed to turnaround, back in to or otherwise trespass on private property driveways of current, taxpaying/voting residents of North Road.

Another concern to be addressed is the additional residential traffic that will come with the new houses. North Road isn't very wide and the children have a tendency to meander down the middle of it when they're coming to and from school and/or friends' houses, etc. The existing residents are aware of this fact and we look out for the kids. The additional traffic caused by the new housing will be a major hazard to these children and other pedestrian (and bike traffic). This is a violation of Criteria 2 to the zone change criteria "The change will not adversely affect the health, safety and welfare of the community."

Additional construction concerns come from illegal dumping of construction debris. This could be a potential problem for existing residents and how to mitigate the problem before it becomes a problem needs to be addressed.

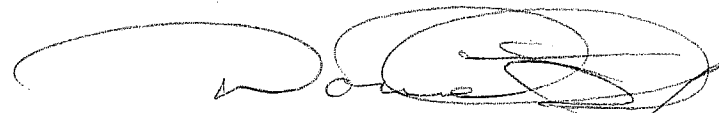
Another item that should be addressed is a playground for the children from the "approximately 14 new residences on this 2 acre site" and other existing neighborhood children. If we're to be inconvenienced by new houses in the neighborhood, make improvements that will make it livable. Instead of 14 houses, why not make it 12 or 13 and put in a playground?

Please submit these written comments into the public records of the decision-making process of this rezoning.

Thank you,



Anthony I. Ceruti



Donna K. Ceruti



Hello my name is Jim Reichel, I live on 52548 North Rd

I received notice of the new subdivision that will include a road that connects West Lane to North Rd by way of Erin St.

I want to express my thoughts and concerns about 30-40+ new vehicles a day using North Rd to/from Columbia Blvd as well as construction equipment accessing the site from North Rd.

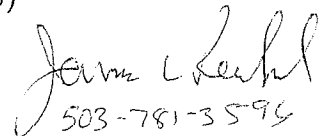
The Planning Commission and the developer have stated, that we, the current residents of North Road will benefit from this new access road (Erin St).

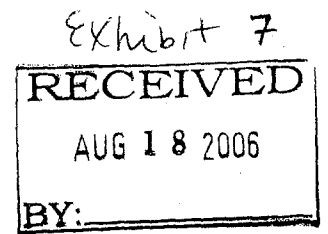
I have to tell you in my experience, as a contractor who builds new roads in subdivisions, the only residents that will benefit from using Erin St to North Rd to and from Columbia Blvd, are the new residents of the subdivision.

As a homeowner on North Rd, what I see is a traffic problem on North Rd to Columbia Blvd as 30-40+ vehicles a day use North Rd to access Columbia Blvd. Current proposal includes only 200 feet of improvement to North Rd...that is there will be no road improvements (no widening, no sidewalks, no curbs) all the way to Columbia Blvd. Currently, if you walk on North Rd – you walk in the street. It is a potential hazard now, imagine school kids walking to and from the bus stop in the middle of the road to get to the corner of Columbia & North with an additional 30-40 cars coming and going. The developer needs to improve North Rd to Columbia for everyone's safety...The City of Scappoose will require that Erin Rd be built per City of Scappoose specifications, dumping Erin Rd onto a narrow, rural county road to access Columbia Blvd without making improvement to North Rd just doesn't make good safety sense.

Construction vehicle access is another issue we should look at carefully. North Rd was not built to the specifications that the city/county would require now. Road maintenance needs to conduct a study to determine if North Rd in its present state, can adequately accommodate 30-40+ more vehicles a day and constant construction traffic during the building phase. Once all construction is complete will North Rd still be in the same state (no damage) as it is now? I hardly think so – and who will be responsible for its repair??

I think the residents of North Rd should resist any construction access onto North Rd and if during the construction of the new subdivision North Rd sustains damage, the owners of subdivision should be liable for repairs. The current residents of North Rd have paid taxes to build and maintain North Rd for the volume there now - we should not in any way have to incur damage, safety issues, or costs that will come from the new subdivision; the developer should bear all the costs since they, and the City of Scappoose will realize the benefits (\$\$)

  
503-781-3596



Heather Viereck  
52621 North Road  
Scappoose OR 97056

August 17, 2006

Council Member  
Scappoose City Council  
33568 East Columbia Ave  
Scappoose OR 97056

Dear Council Member:

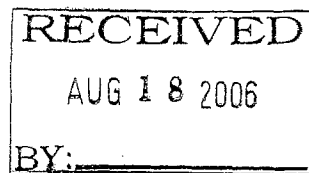
As a resident of North Road for the last 28 years, I have a few concerns about the pending annexation and development of the Unger property. Although it is inevitable for growth to happen, I believe that the safety of the children and adults that walk and drive along the road should be taken into consideration. As it is now, when children are walking home from the school bus stop, which is at the junction of Columbia Avenue and North Road, they end up walking in the road due the limited space and no sidewalks. There is barely enough room for two cars to pass at the same time. When you put all this together and add more traffic from construction and more houses, it is a recipe for disaster.

It would be greatly appreciated if the road could be widened and sidewalks put in, at the very least from the edge of the Unger's property. Thank you for your time.

Sincerely,

Heather Ka Viereck

Exhibit 8



Mike and Kathy Johnson  
52561 North Road  
Scappoose OR 97056

August 17, 2006

Council Member  
Scappoose City Council  
33568 East Columbia Ave  
Scappoose OR 97056

Dear Council Member:

We have lived on North Road for 33 years and have watched this neighborhood grow with no improvements to North Road. Besides our residence, we also own 52559 North Road and another lot on Mobile Lane at the end of North Road. We have no desire to go into the city.

The amount of children that walk this road to and from school, ride their bikes and simply play along with adults that walk along North Road is great and is only going to grow with the development of the trail at the end of North Road. The corner of North Road and Columbia Avenue needs to be fully developed with sidewalks, widening of the road and proper road drainage. This is to only provide safety to those already living on North Road and to compensate for the added traffic which will occur when the Unger's development is finished.

Thank you for your time and consideration.

Sincerely,

Mike and Kathy Johnson

RECEIVED  
10:45 A  
AUG 18 2006  
BY: \_\_\_\_\_

August 17, 2006

11-residents have signed below

**Council Members**

From the members of our neighborhood:  
N.R.C.A. (North Road Community Association)  
52660 North Road  
Scappoose, OR. 97056

Scappoose City Council,

We the undersigned are residents of the North Rd. area, as some of us may not live directly on North Road. \_\_\_ this road is the access to our homes. We will be greatly affected by the proposal of the annexation of the Unger property as it is currently being proposed to the council for approval.

The amount of children who walk and play in this area have increased over the years, and we are worried about their safety. We would like to ask that the council not allow construction traffic to access or use North Road during the development phase. We would suggest they use the road that will enter from West Lane into the new sub-division of Heritage Farm, and leave the same direction. After the Sub-division is complete then open the entrance to North Road.

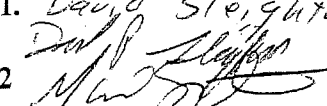
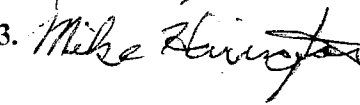
We would also like to ask the council to change the zoning before it goes for the vote of the public, from MHR (Mobile Home Residence) zoning with the county to R-1 with the City of Scappoose, before it goes to the vote of the people.

We are also concerned about the added damage traffic would do to our road, and who would be responsible for the repairs?

Safety is our biggest concern not just with traffic issues, but also with the potential increase of criminal activity due to easier access if the north end of North Road is opened up as rumored. Currently not many people drive through here, and we like it this way.

Sincerely,

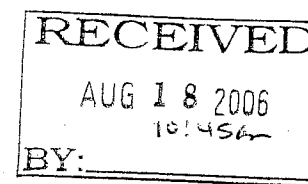
Signed: Residents of the North Rd. area

1. David Sleightam 34032 mobile lane
2.  34032 mobile lane MARCI Sleightam
3.  34033 Mobile Lane MIKE Harrington

- 4. DAVID LAMBERT 34029 MOBILE LN. David Lambert
- 5. Trenee Lambert 34029 mobile Ln. Trenee Lambert
- 6. BILL MATHESEN 34005 mobile LN Bill Mathisen
- 7. Bonnie Walls 34006 mobile LN. Bonnie Walls
- 8. Benny WALLS 34006 mobil LN Benny Walls
- 9. Robert + Lorimille 52612 North rd. Robert Miller  
Lori Miller
- 10. Patrick + Susan McKean Patrick McKean  
52669 N. R.D. Susan J. McKean

- 11.
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- 20.
- 21.

August 18, 2006



Council Members

Carolynn Collie  
52660 North Road

Dear Scappoose Council Members,  
I am deeply concerned about the various issues, concerning the new sub-division that is being proposed, and the City Council is being asked to accept as is, some of these concerns have already been brought to your attention by our community members at your last City Council meeting.

As a long time member of this North Road community (33 years) I have seen many changes here, all for the good. Many of the faces have changed over the years, but only three new homes have been added to the area, so the resident dwellings have not changed in numbers much, and traffic levels have stayed pretty much the same. The only increase I've seen is in the amount of children who now live here and play here. I raised five children here and never had to worry about their safety. We stayed here because it was, and still is, a great and safe place to live. Crime is also deterred, because of the inaccessibility to the area.

I want Mr. Unger to be able to retire from his place and too, enjoy where he goes from here. We're (Gary, my husband and I) not against the new sub-division, only that the traffic flow goes out from the new development south toward Columbia Avenue, after the development is completed. Until the development is completed we would like all construction traffic and resident traffic from the "Heritage Farms" development to flow in and out through to West Lane road.

Keeping the traffic from the new development toward the south end of North road, would insure the safety of the majority of the members of North road area. We are asking that no traffic, other than the residents of North road, Mobile Lane, and Roundhouse Lane., be sent at anytime north to a proposed opening to the Crown Zellerbach (C.Z.) road, which is designated as a "Linear Park Path." If this were to happen the safety of everyone would be jeopardized. The new development that is proposed north of the Crown Z. road has plenty of room to access west to West Lane road, or behind Walkers property to "C.Z." road and then maybe move the gate of the linear path east of a new opening behind Walker's property, then the traffic that would only use about 200 feet of the "C.Z." road.

Most of the children live north of the proposed development, please keep the traffic moving south, but I do ask for the improvements to be done all the way to Columbia Ave.

I do have to say that over the years I have had near misses, many times, at the intersection of North road and Columbia Ave., when I'm coming up to the stop sign, and a car is

turning on to North road. They cut the corner to short and don't see me as I approach the sign, because of the large laurel bushes. This corner needs to be taken care of too. Also proper drainage needs to be put in place, for the tremendous amount of water that collects at this intersection.

Thank you for your time in this community and for listening to our concerns.

Sincerely,

*Carolynn Collie*

Carolynn Collie

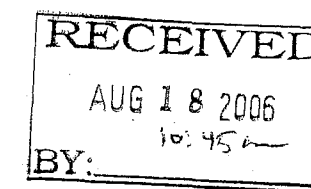
52660 North Road

Scappoose, Or. 97056

503-543-2417

Exhibit 11

Jaicylenn Collie  
52660 North Rd.  
Scappoose, OR. 97056  
August 16, 2006



City Council Members  
Scappoose City Council  
33568 East Columbia Ave.  
Scappoose, OR. 97056

Dear City Council Member,

I am twenty-three years old and have lived my whole life on North Rd. I have seen some changes here in my twenty-three years, in fact my parents brought about some of those changes, which brought a different look to the neighborhood. I have always felt safe growing up here in this quiet community of North Rd. I'm not against new growth, what I am concerned about is not only my safety, you see I'm a runner and I run or walk this road everyday, but for the safety of all the children now growing up along this road.

There are considerably more children than when I was growing up. I think a count was taken and there are about 35- 37 children now living here in this area, and this does not include myself or two of my siblings who still live here as young adults.

The roads here are very narrow, and there are no side walks. I run at different times of the day, so I encounter different flows of traffic. What is scary is when two cars meet each other, normally they have to drive on the grass on the sides of the road to pass, and when I'm running they have to come to a complete stop until I pass. I take all the safety precautions I can, in wearing the right equipment and such to help prevent an accident, but one never knows, and now with the added increase of construction traffic and residential traffic on to North Road, it greatly increases my fear.



I understand that when this piece of property is voted into the city that it will be zoned M.H. (mobile home?), which would give opportunity for more dwelling spaces to be put in a smaller space than what the rest of the neighborhood has. In order to lessen the amount of traffic onto North road, couldn't the zoning be changed before it goes to the people for a vote, to maybe a zoning that has a lesser amount of houses that could be built on it?

The school bus wouldn't come and pick us up when I was in school, we had to walk to the end of the road and wait along Columbia Ave., where it was dangerous to stand.

Please make sure the kids are safe.

This road is not adequate for the increased amount of traffic.

Sincerely,

Jaicylenn Collie



RECEIVED

AUG 18 2006

10:45 am

BY:

August 18, 2006

Dear City Council Members,

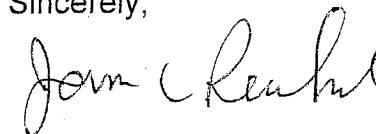
My name is Jim Reichel; I live at 52548 North Road. I am strongly opposed to any new street that would connect to North Road from any new subdivision, without street improvements to widen North Road from the new entrance all the way to Columbia Blvd prior to any construction activity.

The main reason for my concerns are as North Road is now, it's only 15 feet wide. The city, county, and/or school district won't even allow any school bus service on North Road. The kids have to walk to the corner of North Road & Columbia Blvd for bus service. It would seem very dangerous to allow new traffic on a sub-standard road from construction equipment, construction workers, and eventually the new residents without improvements.

I understand that the urban growth boundaries are moving into the county right of ways; the city should be concerned with the issues that result from extra traffic on these sub-standard county roads. These roads, in a lot of cases, such as with North Road, are marginally maintained now, imagine the damage after a year or two of construction traffic and equipment. I hope the city, in this, and its further planning for new development, would insist that development applicants are made to improve any county rural road to at *least* county standards from the site of new development to the nearest main intersection *before* any construction begins.

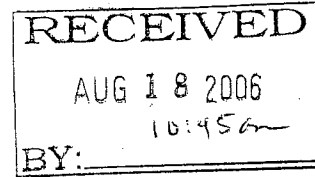
With the annexation of development property, The City of Scappoose should have the obligation to protect future city residents, as well as the existing county residents from poor planning by allowing developers to use sub-standard county roads for access into their new developments. The new city residents are going to be just as concerned about safety on North Road as I am now, let's be pro-active and prior to annexation make it clear that road improvements will happen before any development begins.

Sincerely,



Jim Reichel  
52548 North Road  
Scappoose, OR 97056  
503 781 3596

Exhibit 13



August 18, 2006

Scappoose City Council Members,

I live on North Road. There's not much to brag about about North Road, except it is home to 30+ county residents who travel this poorly maintained, narrow road daily and like it just the way it is. But change is around the corner, actually, in the middle of the block and I for one am concerned.

The pending annexation of the Unger property has brought neighbors out, out to meet one another, out to speak out about a common concern - safety on North Road. Heck, many of us have attended our first planning commission and city council meetings ever! I can honestly tell you that probably no one really had given safety a second thought till now. Why would we? It's our kids walking up and down the road, riding their bikes, playing hopscotch - why worry, because it's our neighbor that's driving by them - the same neighbor we wave to in their yards. We know to look out. North Road is 15 feet wide, it's a dead end, and has no street lights - you have to be careful of children & animals because there's little room for error.

First and foremost my concerns are about safety. North Road, as it is now, is 15 feet wide, that isn't wide enough for the school bus to travel down safely and pick up the school kids. North Road kids have to walk to the corner of North Road & Columbia Blvd, there are no sidewalks, they usually walk down the middle of the road, moving over into the grass when/if a car needs to pass. There are no street lights on North Road either, making the winter months walks all that more dangerous in the dark.

Now think forward to a road opened to North Road. Initially this road will provide construction access for the new housing development. Construction traffic and equipment will become common place for at least 2 years during construction. Added traffic to an already poorly maintained county road and the inadequate intersection of North Road & Columbia Blvd seems to be playing Russian roulette with the safety of existing county residents, construction workers, and eventually new city residents. If a school bus can't safely come down North Road to pick up school children...how will a dump truck or any other construction equipment safely travel on North Road in its current state?? In all good conscience, can the City of Scappoose overlook a dilapidated county road for the sake of new revenues generated by new city residents? I sincerely hope not.

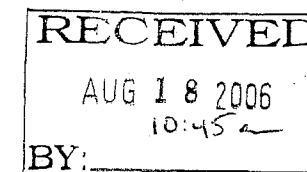
North Road is on the fringe on annexation, literally a county island in a city sea. I have no vote in annexation of 180 feet of North Road, yet will be impacted the most by the added traffic. I implore you, make road improvements to the next busiest intersection mandatory prior to development, and annex with the stipulation that it will be low density housing zoning, keeping with our existing neighborhood. Or, keep the high density zoning and no access allowed onto North Road by either construction vehicles or the new residents - and leave our narrow 15 foot county road to its 30+ residents.

Sincerely,

Karen Blow

Karen Blow  
52548 North Road  
Scappoose, OR 97056  
360 921 2940

Exhibit 14



August 18, 2006

City Counsel:

As a resident at 52637 North Rd I feel that the proposed open of North Rd to a new sub-division that is planned across from the old Crown Zellerback Rd has not been study enough at this time to determine the impact on the existing residents of North Rd.

If the city wants to annex Mr. Ungers property into the city I have no objections. However to put on the same proposal to go about a half a mile a way and attach the opening of North Rd would be ill advised at this time.

With over 35 children and two day cares using this narrow road the impact would be devastating to the neighbor-hood.

My five-year-old grand son lives at the Brookshire Apartments. There is no place for him to play baseball or ride a bike. He comes to one of the few places left in Scappoose where he can play with out fear of cars and heavy traffic. We always are with him while he rides his bike but others using the street are not watched as close.

We have older people use the road for walks and bicycling. The reason is that it is not a through road and they don't have to worry about traffic. Plus the beauty of the flowers plants and yards the residents provide for their viewing. I am afraid we would lose all of this if North Rd becomes a through fare for some other sub-division.

Please consider our neighborhood when making your decision.

Thank you for considering my concerns.

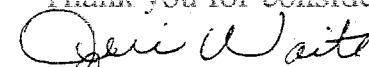
  
Jeri Waite  
52637 North Rd.  
Scappoose OR. 97056  
Tel 503-543-5058

Exhibit 15

RECEIVED

AUG 18 2006

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08/17/06

BY:

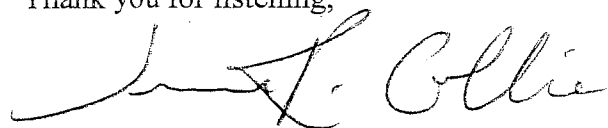
Jenna Collie  
52660 North Rd.  
Scappoose, OR 97056

Council Member  
Scappoose City Council  
33568 East Columbia Ave.  
Scappoose, OR 97056

Dear City Council Members,

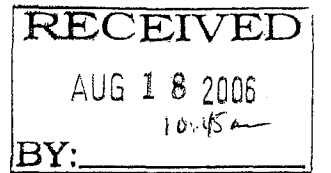
I am a current resident on North Rd. in Scappoose, and have lived on this road my whole life. My parents were always comfortable with us riding our bikes without worry of traffic. One of my favorite places to go was the logging road, it was an endless place to ride, and the blackberries are free! When I found out that the road is being considered as a through road for an industrial area my heart sunk. I still use this road for running, long bike rides, and just time alone to pray, and be by myself. I hope you can consider how valuable this road would be if it were used as a trail. Oregon is known for its beautiful forests and trails. I personally love traveling all over Oregon to find new trails. If this is a trail, and it extends to Vernonia and I heard it could possibly reach the coast, you can just imagine how many people would come to this area because of this mighty trail that reaches from the river to the coast. I've seen horseback riders, bikers, walkers, runners, grandparents and their grandkids, fishermen, families, and more on this safe, beautiful and quiet road. If North road is extended to the logging road, it would make north road more unsafe for children. There are two daycares on this road and children playing all the time. I am a voice/piano teacher, and in the fall I will have students coming to my home for lessons. They are grade school and high school age, and some may be walking, or biking. This trail could give us a bigger place on the map. It's beautiful! If you haven't walked or taken your bike down it, please take the time to do so and see what I'm talking about.

Thank you for listening,



Jenna R. Collie

Helen Beharson  
 52428 North Rd  
 Scappoose, Or 97056-3416



August 17, 2006

Scappoose City Council  
 33568 E. Columbia Ave.  
 Scappoose, Or 97056

Dear Council Members:

Because I enjoy living in Scappoose I can understand others wishing to come to this area. That requires more housing, new developments, the proposed annexation of the Unge property on North Road and the development plan for that property present some concerns for those of us who live on North Road.

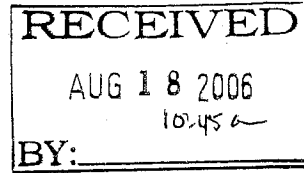
The road is inadequate for the use it gets now and could not possibly accommodate construction equipment use. There is also the question of safety, children must walk along this narrow road to Columbia Ave to meet their school bus.

an R-1 zoning for the development, rather than MH, would blend into the neighborhood better and perhaps reduce additional traffic to a degree. Safety on this substandard road is a very serious concern.

Sincerely,

Helen Beharson

Exhibit 17



August 17, 2006

Council Members:

From Junior Peal  
52637 North Rd.

Scappoose City Counsel. As a North Rd resident I am concerned about the proposal that is taking place on North Rd.

I have no problem with the annexation of Mr. Unger's property. He has held this property to sell for his retirement.

Because of the narrowness of the North Rd off of Columbia Blvd. I would like to see the new developer use the West Lane entrance while development of the new sub-division is being built. After the paved streets and curbs in the new sub-division have been established it would only be appropriate to widen and put at least one side walk to Columbia Blvd. This is only a additionally 146 feet.  
There is not at this time room for large equipment or trucks to use North Rd.

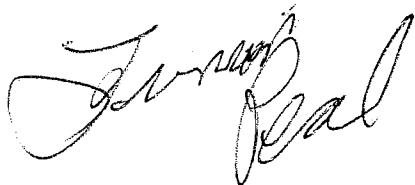
I would also ask that the opening of North Rd as a access road across the old Crow Zellerback road to a new planned sub-division be taken off the proposed annexation of Mr. Ungers property.

I think a study of the impact of what will happen to an already existing neighbor- hood has not been fully study. It also will be in conflict with the existing Crown Zelleback Linear Trail that was given to Columbia County.

Mr. Tony Hyde of the County Commissioners who is in charge of the Linear Trail has not done a study to see if this is in direct conflict with the old Rd. Mr. John Hinkle and Mr. Loni Welter have given Mr. Hyde a proposal of what Scappoose City would like but as residents we have not heard at this time the results of that meeting.

I would like to thank you for your time and would like to work with you to make our community a better place for all to live. For the people who already live in this community and for the new people who will be moving to Scappoose.

Sincerely  
Junior Peal  
52637 North Rd.  
Scappoose, Or 97056  
Tel 503-543-5058



RECEIVED  
AUG 18 2006  
BY: [Signature]

Carson Collie  
52660 North RD.  
August 17, 2006

City Council Members  
Scappoose City Council  
33568 East Columbia Ave.  
Scappoose, OR. 97056

Dear City Council Members,

I have lived in this neighborhood since February 17<sup>th</sup> 1989. I have seen some changes in Scappoose and it upsets me, but I know things change. North Road has even seen its own changes over the seventeen years that I've lived here, yet it has always been a fun place to live, play, and grow-up. Now that I'm driving I realize the road I rode my bike on, in my younger days, is a lot smaller than I remember it, and there are more kids on the road riding and playing. It's not real safe!

One of the dangerous parts of North Road, I see as a new driver is at the end of North Road, where it meets with Columbia Avenue, turning right onto Columbia is difficult, because of the trees that block the vision of the traffic heading west on Columbia Ave. Also, when approaching the stop sign at the end of North Road, I have had cars turning onto North Road from Columbia Avenue almost hit me, because they can't see me, due to the tall hedges to the west side of North Road, and because the road is so narrow.

I want the "Logging Road" (C.Z. Road) to be used as a "park path" for pedestrians; bikers; and horse riders only, not for motorized vehicles, and leaving the gates, at each end of this path, where they currently are. Please do not suggest opening the south end of North Road to more traffic. It would create more safety problems.

Thank you for listening to my concerns.

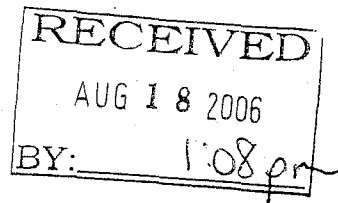
Sincerely,

Carson Collie



Exhibit 19

Linda di Pietro  
25626 North Road  
Scappoose, OR 97056  
August 17, 2006



Council Member  
Scappoose City Council  
33568 E. Columbia Ave.  
Scappoose, OR 97056

Dear Council Member:

On behalf of the North Road Community Association I would like to thank you for your time and assistance given at the August 7<sup>th</sup> City Council meeting. I personally felt we were listened to and there was a genuine interest and willingness to be helpful and patient as we learn how to advocate for our neighborhood.

Through this process I hope it is understood that we do not want to interfere with annexation of the North Road property, but instead to do what we can to voice our concerns with the potential impact development of this property will have upon each of us. While the annexation of this property represents a single decision for the council, for us it also ties into plans for the properties north of the Crown Zellerback Road and the Linear Trail.

With all of this in mind I would like to remind you of our worries concerning the potential dangers and damage that will exist if North Road is used during the construction phase of the development. Roughly 35 children live throughout this neighborhood and many walk all the way to Columbia Avenue to catch their bus. During the winter months it is dark as the children walk to their bus stop. Our street and neighborhood cannot handle the impact of the construction process. Please don't allow this when the time comes.

I would also like to ask that when annexation of the North Road property is approved by the City Council that the zoning not be MH. A zoning of R-1 would be a much better match with the neighborhood. I realize that for Taurus Homes this would mean building different and fewer homes, but if a higher density housing development is built it will result in an increase in the number of cars and foot traffic. The builder will be required to make some street improvements, but it would be unfair to ask that they be responsible for improving the entire street. I would be satisfied with the ½ street improvements from their property to Columbia Avenue if the property is zoned R-1. I don't believe that the ½ street improvement will be enough to truly address the safety concerns MH zoning will create, as it also represents a greater increase in population.

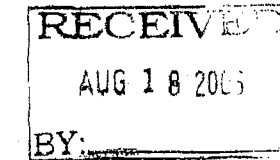
Again I'd like to thank you for your careful attention to our concerns and look forward to working with you on the progress surrounding our neighborhood.

Sincerely,

A handwritten signature in cursive script that reads "Linda di Pietro".

Linda di Pietro

Exhibit 20



Russ and Annette Jacobsen  
52538 North Road  
Scappoose, Oregon 97056

August 17, 2006

Judie Ingham  
Scappoose City Council  
33568 East Columbia Ave  
Scappoose, Oregon 97056

Dear Judie:

We are writing you today to voice our concerns regarding the proposed Taurus Homes Annexation and Subdivision at 52525 North Road.

We live across the street on the north side and have strong concerns about what another access point to North Road will do to the quiet, small country road that we currently have. Our concerns include the time during the development and the effect of increased traffic after construction.

Our first concern is the safety of our children if construction equipment and trucks are running up and down the already narrow country road. Our children, ages 6 and 12, go to and from the corner of North Road and Columbia Avenue to get on and off the bus for school. North Road children, including ours, play on the road because it is such a nice peaceful country road. There are two daycares and many families on this road, so many children walk down to the bus.

Second, we are concerned that our road will not be able to survive the increased traffic that a through street would create. During the long process of construction, if large vehicles are going back and forth, the road will deteriorate rapidly. The impact will be even worse during winter months. Since the road is very narrow, the residents on this road drive down the middle and slow or stop to let others by when coming upon other vehicles going in the opposite direction.

We don't mind development, but would prefer that there is no access to North Road at all from the pending development. All the construction coming and going onto North Road will be too much traffic. After construction, there will be at least 40 new vehicles accessing our little country road and dramatically increase the danger for our children. They can access the subdivision via Columbia and 5th Street or West Lane and Crown Zellerbach. If we cannot have that blocked off then we will definitely need improvements from the new development up to Columbia Avenue in order to keep our road safe and in fair condition.

We appreciate your time in listening to our concerns.

Sincerely,

  
Russ and Annette Jacobsen

TAURUS  HOMES  
INC  
FINE HOMES & COMMUNITIES

Exhibit 21

August 29, 2006

Dear Mr. Unger

Please accept this letter as a formal notification from Taurus Homes to relinquish our contract obligations to your property at 52525 North Road, Scappoose Oregon due to feasibility requirements not meeting contract requirements. If you have any questions please feel free to contact us at 503-647-9444.

Sincerely,  
Chuck Mitchell  
Land development manager

To THE MEMBERS OF THE COUNCIL,

CONCERNING THE ANNEXATION AND SALE OF MY LAND. TAURUS HOMES HAVE BACKED OUT OF THE CONTRACT AND ARE NO LONGER INTERESTED IN BUYING MY LAND BECAUSE OF THE ACTIONS OF THIS COUNCIL. HOWEVER, I STILL WOULD LIKE TO BE ANNEXED INTO THIS CITY.

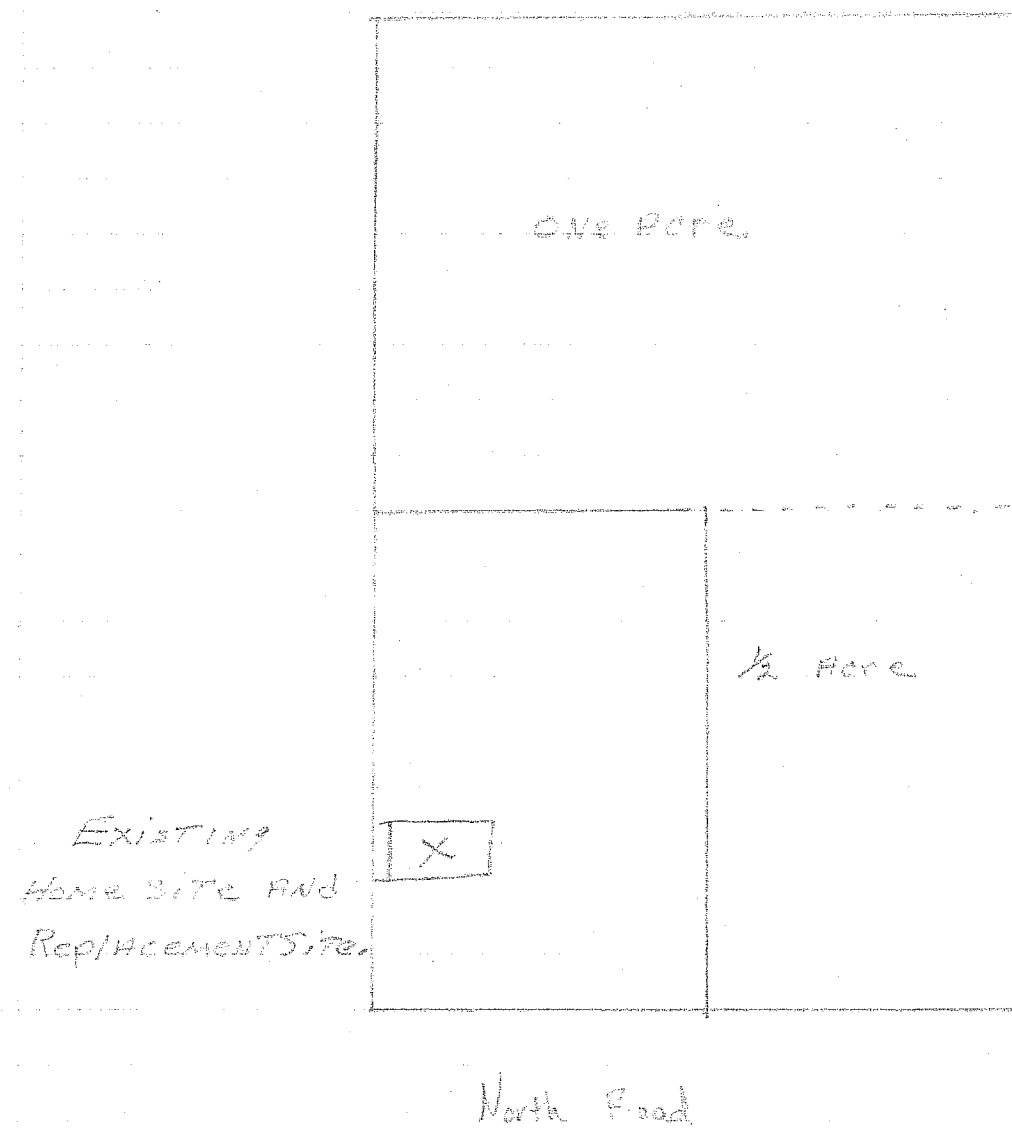
MY INTENTION NOW IS TO REPLACE MY EXISTING HOME WITH A TWO BEDROOM MANUFACTURED HOME ON THE EXISTING SITE, USING ABOUT ONE HALF ACRE.

THEN IF POSSIBLE HOOK UP TO CITY WATER AND SEWER. AFTER THAT, IN THE FUTURE I HOPE TO DIVIDE THE REMAINING LAND INTO THREE OR FOUR SITES FOR SALE AS HOME SITES. WITH MY LAND BEING IN THE URBAN GROWTH BOUNDARY, CITY LIMITS NEXT DOOR AND MY NEIGHBORS NOT BEING AGAINST THIS ANNEXATION, HOPEFULLY I CAN RECOUP MY LOSSES AND HAVE A HOME TO LIVE IN.

SO I HOPE THE COUNCIL WILL GRANT MY REQUEST FOR ANNEXATION AND ALLOW IT TO GO FORWARD TO A VOTE OF THE PEOPLE.

Thank you  
Don R Unger  
503-543-6539

LOCATION 52535 NORTH ROAD.  
TAX LOT 6000, T3M. RAW SECTION 1A-1-4





**Revised Legal Description for Annexation ANX5-06**

*This property was annexed to the City of Scappoose by Ordinance 784 and Resolution 07-09. The legal description has been revised to correct a typographical error.*

**Legal description of property annexed and zoned Manufactured Housing**

Columbia County Assessor Map No. 3212AD-06000

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

Beginning at the quarter corner on the East side of said Section 12; thence N 64°13'30" W 473 feet to an iron pipe; thence N 20°06' E 185.08 feet to an iron pipe; thence S 64°13'30" E 473 feet to an iron pipe; thence S 20°06' W 185.08 feet to the point of beginning.

Containing 2.0 acres more or less.





CITY OF SCAPPOOSE

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

February 20, 2008

Carolyn Sunderman  
Oregon Dept. of Revenue  
Cartographic Unit  
955 Center St. NE  
Salem, Oregon 97301

**Re: Revised boundary description for boundary change 5-288-2007**

Dear Ms. Sunderman:

In June 2007 I mailed you copies of the materials associated with the Annexation approved by Ordinance 784 and Resolution 07-09. The City subsequently received notice from the Columbia County Assessor that the legal description contained a typographical error. The County also provided the correct information for this parcel.

We have enclosed a copy of the revised legal description for you records. The City has filed the revised legal description and letter with Ordinance 784 and Resolution 07-09 to ensure that the new description is used from this point forward.

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

Sincerely,



Susan M Pentecost  
City Recorder

cc: Columbia County Assessor

