

**ORDINANCE NO. 830**

**AN ORDINANCE RELATING TO LAND USE AND AMENDING THE  
SCAPPOOSE COMPREHENSIVE PLAN MAP AND ZONING MAP  
WITH REGARDS TO PUBLIC LANDS**

**WHEREAS**, the City of Scappoose initiated a legislative land use application to update its comprehensive plan map and zoning map with regards to public lands; and

**WHEREAS**, the Planning Commission held a hearing on the application on January 9, 2014 and the City Council held a hearing on the application on January 21, 2014; now therefore,

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

**Section 1.** The Scappoose Comprehensive Plan is hereby amended to reflect the redesignation to Public Lands (PL) for the real property listed in Exhibit A and illustrated in Exhibit B, which are attached hereto and incorporated herein by reference.

**Section 2.** The Scappoose Zoning Map is hereby amended by re-zoning the real property to Public Lands--Institutional (PL-I), Public Lands--Utility (PL-U), or Public Lands--Recreation (PL-R) as specified in Exhibit C and illustrated in Exhibit D, which are attached hereto and incorporated herein by reference.

**Section 3.** In support of the proposed Comprehensive Plan Map Amendment and Zone Change, the City Council hereby adopts the findings included in the staff report dated January 24, 2014, attached hereto as Exhibit E and incorporated herein by reference.

**Section 4.** Notwithstanding the effective date of ordinances as provided in Section 29 of the City of Scappoose Charter of 2010, this Ordinance shall become effective 30 days from the date of its passage or upon the date of its acknowledgment as provided by ORS 197.625, whichever is later.

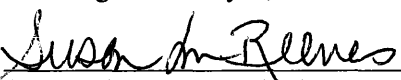
**Section 5.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**PASSED AND ADOPTED** by the City Council this 3<sup>rd</sup> day of February, 2014, and signed by the Mayor and City Recorder in authentication of its passage.

**CITY OF SCAPPOOSE, OREGON**

  
\_\_\_\_\_  
Scott Burge, Mayor

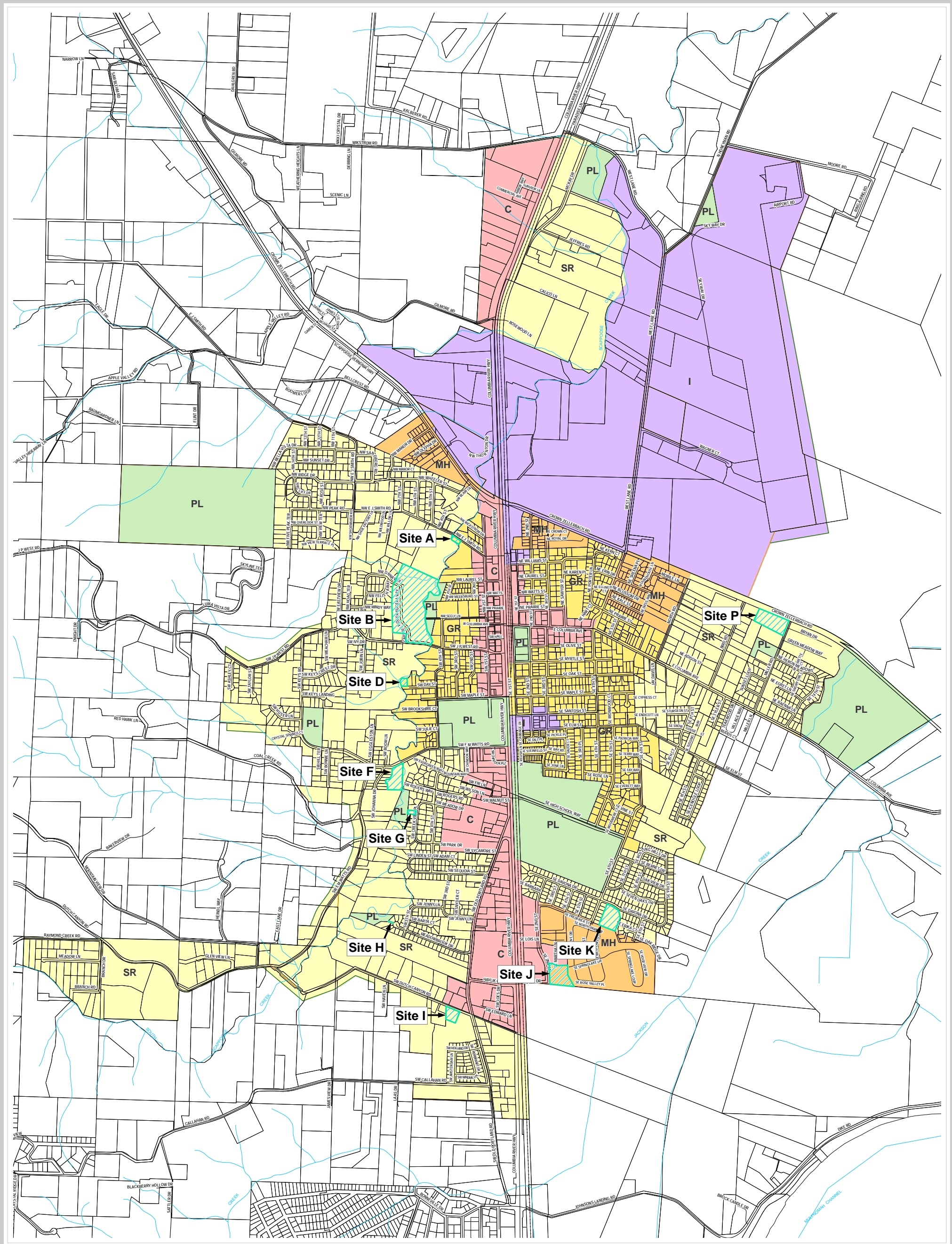
First Reading: January 21, 2014  
Second Reading: February 3, 2014

Attest:   
\_\_\_\_\_  
Susan M. Reeves, MMC  
City Recorder

**ORDINANCE NO. 830**

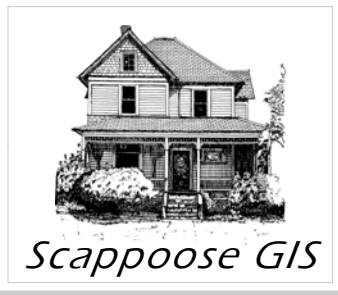
Comprehensive Plan Map Amendments (CPA1-13)

Site	Columbia County Assessor Map and Tax Lot number	Property Owner	Land Use	Location	Existing plan designation	Proposed plan designation	Lot Area (acres)	Area redesignated (acres)
A	3N2W12BD 501	City of Scappoose	Sewage pumping station	NW EJ Smith Road at Scappoose Creek	General Residential	Public Lands	0.2	0.2
B	3N2W12BC 100, 102, & 103	City of Scappoose	Veterans Park	JP West Road at Captain Roger Kucera Way	Suburban Residential	Public Lands	14.4	14.4
D	3N2W12CB 3100	City of Scappoose	Floodplain	SW Day Street at Scappoose Creek	General Residential	Public Lands	0.3	0.3
F	3N2W12CC 1200	City of Scappoose	Storm drainage and floodplain	EM Watts Road on west side of Scappoose Creek	Suburban Residential	Public Lands	2.0	2.0
G	3N2W13BB 300	City of Scappoose	Creekview Park	SE Creekview Place	Public Lands & Suburban Residential	Public Lands	2.7	0.2
H	3N2W13BC 900	City of Scappoose	Future park and/or creekside trail	West end of SW Meadowbrook Drive	Public Lands & Suburban Residential	Public Lands	2.0	0.04
I	3N2W13CA 2200	City of Scappoose	Drinking water well	SW Dutch Canyon Road near Old Portland Road	Suburban Residential	Public Lands	1.3	1.3
J	3N2W13DB 201	City of Scappoose	Future swimming pool	SE 2nd Street at Havlik Drive	Manufactured Home	Public Lands	2.5	2.5
K	3N2W13AD 4300	City of Scappoose	Wetlands	SE Davona Drive east of SE 6th Street	Suburban Residential	Public Lands	2.3	2.3
P	3N1W 7BD 100	City of Scappoose	Water treatment plant	Miller Road	Suburban Residential	Public Lands	3.0	3.0



**City of Scappoose**

**Comprehensive Plan Map Amendments – Docket #CPA1-13**



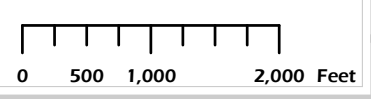
**Legend**

Streets	SR - Suburban Residential
Rivers	GR - General Residential
Railroads	MH - Manufactured Home
Taxlots	C - Commercial
City Limits	I - Industrial
	PL - Public Lands

Area affected by map amendment.  
All hatched areas are redesignated as Public Lands (PL).



1" = 1500'

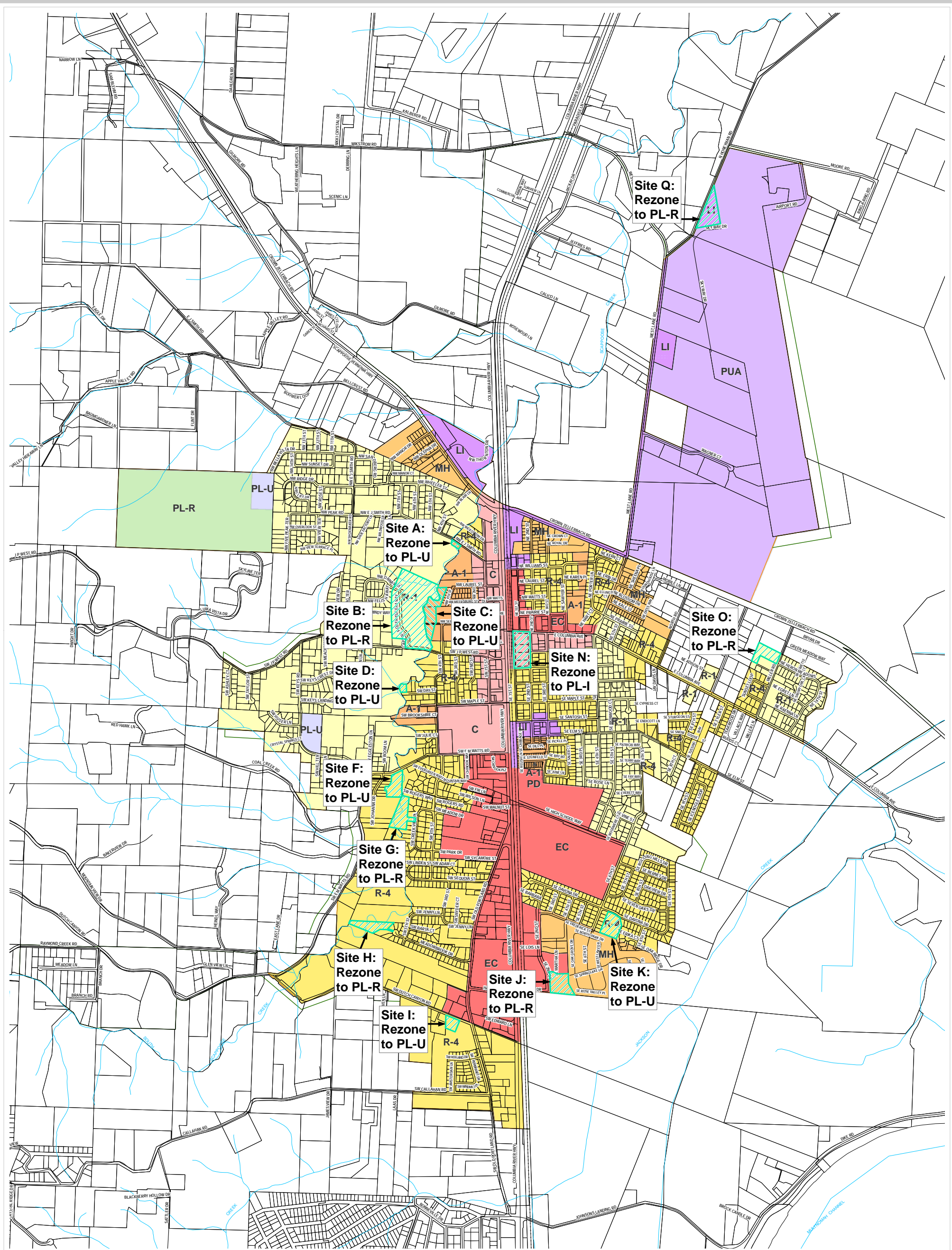


1/24/14

## Zone Changes (ZC1-13)

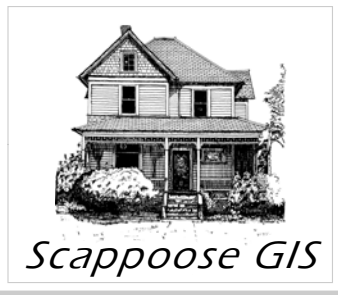
Site	Columbia County Assessor Map and Tax Lot number	Property Owner	Land Use	Location	Existing zoning	Proposed zoning	Lot Area (acres)	Area redesignated (acres)
A	3N2W12BD 501	City of Scappoose	Sewage pumping station	NW EJ Smith Road at Scappoose Creek	High Density Residential	Public Lands--Utility	0.2	0.2
B	3N2W12BC 100, 102, & 103	City of Scappoose	Veterans Park	JP West Road at Captain Roger Kucera Way	Low Density Residential	Public Lands--Recreation	14.4	14.4
C	3N2W12BD 1000 & 1100 & 3N2W12CA 1202	City of Scappoose	Storm drainage and floodplain	East side of Scappoose Creek across from Veterans Park	High Density Residential	Public Lands--Utility	3.0	3.0
D	3N2W12CB 3100	City of Scappoose	Floodplain	SW Day Street at Scappoose Creek	Moderate Density Residential	Public Lands--Utility	0.3	0.3
F	3N2W12CC 1200	City of Scappoose	Storm drainage and floodplain	EM Watts Road on west side of Scappoose Creek	Moderate Density Residential	Public Lands--Utility	2.0	2.0
G	3N2W13BB 300	City of Scappoose	Creekview Park	SE Creekview Place	Moderate Density Residential	Public Lands--Recreation	2.7	2.7
H	3N2W13BC 900	City of Scappoose	Future park and/or creekside trail	West end of SW Meadowbrook Drive	Moderate Density Residential	Public Lands--Recreation	2.0	2.0
I	3N2W13CA 2200	City of Scappoose	Drinking water well	SW Dutch Canyon Road near Old Portland Road	Moderate Density Residential	Public Lands--Utility	1.3	1.3
J	3N2W13DB 201	City of Scappoose	Future swimming pool	SE 2nd Street at Havlik Drive	Manufactured Housing	Public Lands--Recreation	2.5	2.5
K	3N2W13AD 4300	City of Scappoose	Wetlands	SE Davona Drive east of SE 6th Street	Moderate Density Residential	Public Lands--Utility	2.3	2.3
N	3N2W12DB 1600, 1700, 1800, & 1900	City of Scappoose	City Hall, Library, Watts House Museum, Heritage Park	SE 2nd Street between E. Columbia Ave. & Myrtle St.	General Commercial	Public Lands--Institutional	2.7	2.7
O	3N1W 7CA 1200	City of Scappoose	Miller Park	NE Miller Road at NE Heron Meadows Drive	Low Density Residential	Public Lands--Recreation	2.0	2.0
Q	3N1W 6B0 1100	Columbia County	Scappoose RV Park	N. Honeyman Road near Scappoose Industrial Airpark	Light Industrial	Public Lands--Recreation	3.1	3.1





**City of Scappoose**

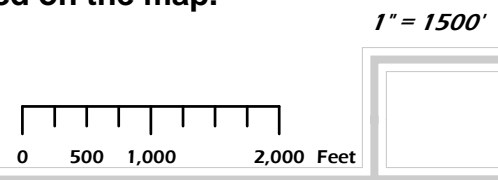
**Zoning Map Amendments – Docket #ZC1-13**



**Legend**

	Streets		R-1 - Low Density Residential
	Rivers		R-4 - Moderate Density Residential
	Railroads		MH - Manufactured Housing Residential
	Taxlots		A-1 - High Density Residential
	City Limits		C - General Commercial
			EC - Expanded Commercial
			LI - Light Industrial
			PUA - Public Use Airport
			PL-R - Public Lands-Recreation
			PL-U - Public Lands-Utility

Area affected by map amendment.  
All hatched areas are rezoned as indicated on the map.



1/24/14

CPA1-13/ZC1-13

January 24, 2014

*Public Lands Comprehensive Plan Map Amendment and Zone Change*

**CITY OF SCAPPOOSE STAFF REPORT**

- Request:** Approval of an application for a Comprehensive Plan Map Amendment (CPA1-13) and a Zone Change (ZC1-13). The City of Scappoose proposes to amend the Comprehensive Plan map to designate additional City-owned properties as Public Lands, and to amend the Zoning map to ensure that most areas designated as Public Lands on the Comprehensive Plan map have corresponding Public Lands zoning.
- Location:** The affected properties are in various locations around the City. See attached Vicinity Map (**Attachment 1**).
- Applicant:** City of Scappoose
- Owner(s):** City of Scappoose and Columbia County. See **Exhibits A and C of Ordinance 830** for ownership of affected parcels.

**ATTACHMENTS**

1. Vicinity map
2. Excerpts from Local Riparian Inventory
3. Floodplain map
4. Excerpts from Local Wetlands Inventory
5. Comments from Len Waggoner, submitted at 1/9/14 Planning Commission hearing

**OBSERVATIONS**

CONCURRENT COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE CHANGE

- The City is enacting amendments to both the comprehensive plan map and the zoning map for 14 locations distributed around the City. This is a legislative action since it affects many parcels under multiple ownerships and addresses citywide policy objectives.
- As detailed in the City’s 1991 comprehensive plan, the Public Lands (PL) designation is intended to aid in the acquisition of land for public activities. In 2002, the City created three Public Lands zones to implement the PL comprehensive plan designation. These zones are outlined in the following chapters in the Development Code:
  - Chapter 17.77 PL-I Public Lands--Institutional;
  - Chapter 17.78 PL-U Public Lands--Utility; and
  - Chapter 17.79 PL-R Public Lands--Recreation.

*Public Lands Comprehensive Plan Map Amendment and Zone Change*

City Council applied these zones to two properties (the Keys Road water treatment plant and the Bella Vista reservoir and recreational land) in 2003.

- Several areas designated PL on the comprehensive plan map do not have corresponding Public Lands zoning. The City is changing the zoning of most of these areas to align with the underlying PL comprehensive plan designation (excluding all sites owned by the Scappoose School District, illustrated as Sites E, L, and M on **Attachment 1**). Those sites with parks or other recreational space would be zoned to PL-R, while those areas containing the city hall, library, and historical museum would be zoned to PL-I. There is also one area across from Veterans Park that is used for storm drainage and floodplain management that would be zoned to PL-U.
- There are several City-owned properties that would be designated PL and then undergo a zone change to the applicable Public Lands zone. These properties include the Dutch Canyon well, the Smith Road sewage pumping station, parks, the site of the future city pool, and additional storm drainage and floodplain areas. The City is amending the comprehensive plan map to designate these areas PL and then to change the zoning to PL-R or PL-U, as applicable.
- Tables listing the affected parcels are included as **Exhibits A and C of Ordinance 830**. The total area proposed to receive new comprehensive plan designations is 26.3 acres, and the total area of parcels proposed to receive new zoning designations is 38.5 acres. The locations of these sites are illustrated on **Exhibits B and D of Ordinance 830**. Sites E, L, and M (see **Attachment 1**), which are owned by the Scappoose School District, have commercial zoning: Site E is zoned General Commercial while Sites L and M are zoned Expanded Commercial. Although these sites are designated PL on the comprehensive plan map, City Council has determined to keep the existing zoning rather than changing the zoning to Public Lands--Institutional.
- The map amendments would improve the City's ability to accurately assess the amount of residential and employment land by subtracting public uses from those areas. This will be useful when Council chooses to embark upon an assessment of the capacity of the urban growth boundary.

TRANSPORTATION PLANNING RULE

- The transportation planning rule stipulates that an applicant must demonstrate whether an amendment to the comprehensive plan and zoning map would have a significant effect on the transportation system. If the analysis demonstrates that a significant effect would occur, then the City is required to either deny the application or to require mitigation to offset the traffic impact.
- Most of the sites affected by this proposal are already developed with public uses (see **Exhibits A and C of Ordinance 830**). For those sites that have not yet developed, the planned land uses would be permitted both under the current zoning and under the proposed zoning, so the transportation impacts of the map changes should be negligible. The City does not anticipate that the map changes would cause failure of the local street network or cause a significant effect on City streets.
- The Columbia County Road Department has the authority to determine whether there is a significant effect on county roads and the Oregon Department of Transportation (ODOT) has

*Public Lands Comprehensive Plan Map Amendment and Zone Change*

the authority to determine whether there is a significant effect on Highway 30. The Columbia County Road Department and Oregon Department of Transportation have not indicated that there would be a significant effect on the roadways under their jurisdiction.

PUBLIC UTILITY CONSIDERATIONS

- The City Engineer has concluded that the map amendments should not affect the potable water, sanitary sewer, storm drainage or transportation system from the perspective of service provided by the City.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose Mayor, City Engineer, Building Official, and Field Services Supervisor; Scappoose Rural Fire Protection District; the Oregon Department of Transportation (Region 2); Columbia County Road Department; and Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Staff has received no objections from these organizations.
- Notice of the proposed amendments to the comprehensive plan map and zoning map was published in the newspaper on December 27, 2013 and January 3, 2014. Notice was also mailed to the affected property owners. Staff received one written comment from the public regarding this application (see **Attachment 5**). Len Waggoner and the Scappoose School District testified at the January 9 Planning Commission hearing and the January 21 City Council hearing to express concern about the impact of the proposed zone change (particularly for Site E, the Scappoose Middle School) since they felt that the property value would be higher under the schools' existing commercial zoning.

APPLICABILITY OF STATEWIDE PLANNING GOALS

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

**FINDINGS OF FACT**

- 1. The following Statewide Planning Goals have been considered by the City of Scappoose in the formation of the language contained within this request:**

***Goal 1: Citizen Involvement***

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

**Finding:**

This application complies with the citizen involvement processes included in the City's acknowledged comprehensive plan and Development Code, which is consistent with Statewide Planning Goal 1. The Planning Commission and City Council held public hearings on the proposal prior to adopting any amendments to the comprehensive plan map or zoning map. Notice of the proposal and hearings was published in the local newspaper on December 27, 2013 and January 3, 2014. The City also follows the procedures required by ORS 227.186 (Ballot Measure 56) for notification of the owners of property proposed to be directly



*Public Lands Comprehensive Plan Map Amendment and Zone Change*

affected by the changes. For this application, notice was mailed to Columbia County and to the Scappoose School District.

Citizens may submit written or verbal testimony regarding the proposed map amendments. This process allows for citizens to communicate their input into the amendment review conducted by the City. For this application, the Planning Commission's hearing date was January 9, 2014, while the City Council's hearing date was January 21, 2014. This process complies with the Goal.

At the Planning Commission and City Council hearings, Len Waggoner and Scappoose School District representatives raised concerns that the property value of Site E (the Scappoose Middle School) would decrease if the zoning were changed from General Commercial to Public Lands--Institutional. The School District also raised concerns about Sites L (Scappoose High School) and M (Grant Watts School, Petersen School, and administrative offices). City Council decided to exempt the three School District sites from the zone changes enacted by Ordinance 830.

***Goal 2: Land Use Planning***

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

**Finding:**

The procedural requirements for the comprehensive plan map amendment and zone change contained in the Scappoose Municipal Code involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the planning and zoning designations of urban land within the Urban Growth Boundary in compliance with Goal 2. Notice of the proposed comprehensive plan and zoning map amendment has been provided to the Oregon Department of Land Conservation and Development (DLCD) as required. DLCD staff has not commented on the proposal. Oregon Department of Transportation staff has also been provided the opportunity to comment and has not objected. Columbia County Road Department and Parks Department staff had no objections. The City's decision is based on findings of fact.

***Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources***

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

**Finding:**

Some of the City-owned parcels proposed for amendment by this application (Sites A, B, C, D, F, G, and H) are located in or near the Scappoose Creek riparian area and floodplain (see **Attachments 2 and 3**). Furthermore, according to the Local Wetland Inventory, Site F contains a portion of Wetland SSC-16, Site H contains part of Wetland #SSC-22, and Site K contains a portion of Wetland #JCR-19 (see **Attachment 4**). Site C and the majority of Sites G and H are already designated as Public Lands on the comprehensive plan map. This

*Public Lands Comprehensive Plan Map Amendment and Zone Change*

application would designate Sites A through D and the remainder of Sites G and H as Public Lands, and would change the zoning of all these sites to applicable Public Lands zones. Taken together, these actions provide a regulatory framework to assist in protecting natural resources and open spaces. The comprehensive plan amendment and zone change complies with this Goal.

***Goal 6: Air, Water and Land Resources Quality***

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

**Finding:**

As noted in the discussion of Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5) above, Sites A, B, C, D, F, G, and H are located in or near the Scappoose Creek riparian area and floodplain (see **Attachments 2 and 3**). Ensuring that these sites are planned and zoned as Public Lands will advance the goal of improving water quality by restricting the land uses allowed near the creek. The comprehensive plan amendment and zone change complies with this Goal.

***Goal 7: Areas Subject to Natural Hazards***

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

**Finding:**

The City participates in the National Flood Insurance Program and has adopted the Sensitive Lands--Flooding chapter of the Development Code to minimize public and private losses due to flooding. The City has close to 160 acres of floodplain and nearly 250 individual parcels that are partially or entirely located within the floodplain. Membership within the National Flood Insurance Program (NFIP)—and the availability of flood insurance for City residents—requires the City to manage its floodplain in ways that meet or exceed standards set by the Federal Emergency Management Agency (FEMA). Sites A, B, C, D, F, G, and H are located in or near the Scappoose Creek riparian area and floodplain (see **Attachments 2 and 3**). The proposal to plan and zone City-owned lands near the creek is consistent with avoidance of natural disasters and hazards under Goal 7.

***Goal 8: Recreational Needs***

*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:**

Sites B, G, H, J, O, and Q are either currently used for recreational purposes or are planned to be developed with recreational uses in the future. Sites O and Q and the majority of Sites G and H are already designated Public Lands on the comprehensive plan map. This proposal would designate Sites B and J, plus the remainder of Sites G and H, as Public Lands. This proposal would also amend the zoning map to change the zone for Sites B, G, H, J, O, and Q to Public Lands--Recreation. This application is consistent with Goal 8.

**Goal 11: Public Facilities and Services**

*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:**

Several sites affected by this application are used by the City for its public facilities: Site A is a sewage pumping station, Sites C and F are used for stormwater management, Site I is a drinking water well, and portions of other City-owned sites perform multiple functions including stormwater management. Site C is already designated Public Lands on the comprehensive plan map, and this proposal would amend the map to designate Sites A, F, and I as Public Lands. All three of these sites are proposed to be zoned Public Lands--Utility. Site N (City Hall, the library, the Watts House Museum, and Heritage Park) is already designated PL on the comprehensive plan map. This application would zone the site to Public Lands--Institutional.

Sites E, L, and M (in use by the Scappoose School District) are designated PL on the comprehensive plan map. As originally proposed, these sites would have been zoned to Public Lands--Institutional. At the Planning Commission and City Council hearings, Len Waggoner and Scappoose School District representatives raised concerns that the property value of Site E (the Scappoose Middle School) would decrease if the zoning were changed from General Commercial to Public Lands--Institutional. The School District also raised concerns about Sites L (Scappoose High School) and M (Grant Watts School, Petersen School, and administrative offices), which are currently zoned Expanded Commercial. City Council has made a policy choice not to change the zoning for the School District properties at this time.

The amendment supports Goal 11 by maintaining and protecting public facilities.

**Goal 12: Transportation**

*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 City has adopted the 1997 TSP and is in the process of creating a new TSP. The 1997 TSP assumed that government and school related employment would occur in various locations around the City. The map changes would generally be consistent with those assumptions, and would conform to the policy objectives and assumptions of the City's comprehensive plan. Most of the sites affected by this proposal are already developed with public uses (see **Exhibits A and C of Ordinance 830**). For those sites that have not yet developed, the planned land uses would be permitted under the current zoning and under the proposed zoning, so the transportation impacts of the map changes should be negligible. The City does not anticipate that the map changes would cause failure of the local street network.

*Public Lands Comprehensive Plan Map Amendment and Zone Change*

If future development proposals are anticipated to generate traffic levels higher than 1,000 trips per day, then the City would require analysis of transportation impacts to determine any improvements required to protect health and safety and ensure efficient traffic circulation.

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

***Statewide Planning Goals 3-4, 9-10, & 13-19 are not applicable to this application.***

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

TRANSPORTATION PLANNING RULE

*OAR 660 Division 12 – Transportation Planning:*

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

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

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

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

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

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

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

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

*(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed...below....[...]*



*Public Lands Comprehensive Plan Map Amendment and Zone Change***Finding:**

The map amendments seek to update the inventory of public lands within the urban growth boundary and to ensure that the zoning map is generally consistent with the comprehensive plan map. The amendments will not change the functional classification of any transportation facilities or change any of its implementing transportation standards. The majority of the sites affected by the map changes have already been developed with public uses as permitted under current zoning, so changing the plan designation and/or the zoning does not alter the traffic levels associated with the sites. Furthermore, the allowable uses in the Public Lands--Institutional (PL-I) zone, Public Lands--Utility (PL-U) zone, and Public Lands--Recreation (PL-R) zone are fairly narrow since they are tailored to public uses such as government offices, treatment plants, parks, and so on.

For the few affected sites that are currently undeveloped (for instance, Site J, the future swimming pool on SE 2<sup>nd</sup> Street), the current and the proposed zoning would allow the same recreational use, but the proposed zoning would eliminate residential uses or commercial uses that could have high trip generation rates. As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific development proposals may trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development.

Consistent with the comprehensive plan, the comprehensive plan map changes to Public Lands and associated zone changes to public lands zones alters the type of development that would be permitted on these sites, ensuring that it will be publicly related. Based on trip generation levels associated with public uses, the City finds that the map amendments are consistent with the land uses envisioned by the comprehensive plan and the Transportation System Plan and would reduce the number of trips that would be generated at the sites compared to residential, commercial, or industrial development.

The City can conclude that the map changes would not result in traffic levels inconsistent with the functional classification of transportation facilities or degrade the performance of roadways below the standards in the Transportation System Plan or comprehensive plan. The affected street segments appear to have adequate capacity to accommodate large volumes of traffic. Since the City, ODOT, and the Columbia County Road Department concluded that the map changes would not have a significant effect on transportation facilities, then the City does not need to impose any mitigation strategies.

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

GENERAL GOALS OF THE CITY OF SCAPPOOSE FOR LAND USES

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

**Finding:**

As illustrated on **Exhibit B of Ordinance 830**, the comprehensive plan currently designates a number of sites as Public Lands throughout the City for uses including parks, schools, and water or wastewater treatment plants. This proposal would increase the number of properties with this designation by including properties that either currently have public uses (e.g., Site B, Veterans Park) or are planned for future public use (e.g., Site J, the pool property on SE 2<sup>nd</sup> Street). This proposal would also correct a mapping error by enlarging two sites (G and H) to encompass the entire area of the parcels. This proposal would also amend the zoning map so that the majority of sites with a Public Lands designation on the comprehensive plan map would receive a corresponding Public Lands zone, either Public Lands--Recreation, Public Lands--Utility, or Public Lands--Institutional. These actions have been proposed to reflect the existing patterns of public lands development. The amendment is supportive of this Goal.

*9) Open spaces should be protected for future generations.*

**Finding:**

Several of the sites affected by this application include open space (Sites B, C, D, F, G, H, and O). Designating these areas as Public Lands on the comprehensive plan and Zoning maps formalizes protection of the open space. The amendment is supportive of this Goal.

*10) Public and semi-public developments should be located to encourage a pattern of land development that benefits the whole community.*

**Finding:**

The areas currently designated Public Lands, as well as those proposed to be designated Public Lands, are located throughout the community since their locations depend on their functions, including schools, parks, and utility uses. The amendment is supportive of this Goal.

GOALS FOR THE PUBLIC AND SEMI-PUBLIC LAND CATEGORY

*1) To integrate public facilities with land use, transportation, recreation and other community objectives and plans in order to realize their optimum value for the citizenry.*

*2) To identify and reserve prime sites for public and semi-public activities.*

*Public Lands Comprehensive Plan Map Amendment and Zone Change***POLICIES FOR THE PUBLIC AND SEMI-PUBLIC LAND CATEGORY**

3) *Amend the Comprehensive Plan Map as public and semi-public agencies designate which sites they propose to utilize for future development.*

6) *All development within the public lands designation shall be limited to public facilities, transportation, recreation, utilities and other government facilities.*

**Finding:**

As illustrated on **Exhibit B of Ordinance 830**, there are several sites designated Public Lands in the City, which have uses including schools, city offices, parks, floodplain protection, and water and wastewater treatment facilities. This proposal would increase the number of sites proposed to receive this designation in order to reflect current or planned use of the land (see **Exhibit A of Ordinance 830**) in ways that have changed since the Public Lands designations were applied. This proposal would also amend the zoning map as illustrated on **Exhibit D of Ordinance 830** to reduce the number of inconsistencies between the comprehensive plan map and the zoning map. The applicable Public Lands zones (Public Lands--Recreation, Public Lands--Utility, or Public Lands--Institutional) restrict allowable uses to the types outlined above in policy #6.

At the Planning Commission and City Council hearings, Len Waggoner and Scappoose School District representatives raised concerns that the property value of Site E (the Scappoose Middle School) would decrease if the zoning were changed from General Commercial to Public Lands--Institutional, along with similar concerns for Sites L and M, which are zoned Expanded Commercial. In the Comprehensive Plan, the preface to the Public and Semi-Public Goals and Policies states that “if a public body decides that part of its PL designated land is not needed for public purposes and would be suitable for other development, such development may occur as long as the proposal meets the standards of the applicable zone. A Comprehensive Plan change will be required in advance of such development.” City Council has made a policy decision to remove the School District properties from the list of parcels affected by the zone changes enacted by Ordinance 830.

The amendment is supportive of this Goal.

**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.*

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

6) *Create and maintain ample places for recreation in Scappoose.*

*Public Lands Comprehensive Plan Map Amendment and Zone Change***POLICIES FOR PUBLIC FACILITIES AND SERVICES**

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

**Finding:**

The primary effect of this application is to align the comprehensive plan and zoning map with existing public land uses. The map changes do not affect the capability of the City to serve the sites with public utilities since the existing public infrastructure on adjoining streets have been sized to accommodate development of these sites. The map amendments maintain lands for future recreational opportunities and improve consistency between the comprehensive plan and its implementing Development Code regulations. The applicable goals and policies for public facilities are satisfied.

**GOAL FOR NATURAL FACTORS AND LOCAL RESOURCES**

4) *Ensure the conservation of substantial fish and wildlife areas and habitats.*

5) *Encourage the retention of some open spaces within and between urban living areas.*

**Finding:**

Some of the sites (Sites A, B, C, D, F, G, and H) are near Scappoose Creek and its associated riparian area, wetlands, and floodplain (see **Attachments 2-4**). Site F contains a portion of Wetland SSC-16, Site H contains part of Wetland #SSC-22, and Site K contains a portion of Wetland #JCR-19 (see **Attachment 4**). These properties are all owned by the City. Designating them as Public Lands and applying associated Public Lands zoning formalizes the City's commitment to protecting the open space and habitat value of the sites. The amendment is supportive of this Goal.

**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. Amendments may be necessary from time to time to reflect changing community conditions, to correct mistakes, or to address changes in the law.*

**17.22.020 Legislative amendments.** *Legislative amendments shall be in accordance with the procedures and standards set forth in Chapter 17.160. A legislative application may be approved or denied.*

**Finding:**

This application is being processed as a legislative amendment since it affects many parcels under multiple ownerships and addresses citywide policy objectives.



*Public Lands Comprehensive Plan Map Amendment and Zone Change*

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

- A. If the proposal involves an amendment to the comprehensive plan, the amendment is consistent with the Statewide Planning Goals and relevant Oregon Revised Statutes and Administrative Rules;*
- B. The proposal is consistent with the comprehensive plan (although the comprehensive plan may be amended concurrently with proposed changes in zoning or this title), the standards of this title, or other applicable implementing ordinances;*
- C. The change will not adversely affect the health, safety, and welfare of the community;*
- D. The proposal either responds to changes in the community or it corrects a mistake or inconsistency in the comprehensive plan, the zoning map, or this title; and*
- E. The amendment conforms to Section 17.22.050.*

**Finding:**

This application involves amendments to the comprehensive plan map and zoning map. Discussion above indicates how the application is consistent with the applicable Statewide Planning Goals and Oregon Administrative Rules, along with the City's adopted comprehensive plan and the Development Code. The amendments would improve consistency between the comprehensive plan map and zoning map and would restrict the allowable uses on most sites to those related to public purposes, thereby preserving the health, safety, and welfare of the community. The map amendments have been proposed to respond to changes in the community such as the construction of Veterans Park (Site B) or to reduce the number of cases where the zoning map contradicts the comprehensive plan map (e.g., City Hall is designated PL but has commercial zoning). The City's Public Lands zones were created in 2002, many years after sites had been designated PL on the comprehensive plan map, but the zones were only applied to a handful of properties at that time. Findings related to Section 17.22.050 are included below. Section 17.22.040 is satisfied.

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

**Finding:**

Analysis of TPR compliance is outlined above. The City Engineer, the Columbia County Road Department, and the Oregon Department of Transportation reviewed the proposal and did not raise objections or find that the amendment would have a significant effect on transportation facilities. Section 17.22.050 is satisfied.

*Chapter 17.160 PROCEDURES FOR DECISION MAKING--LEGISLATIVE*

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

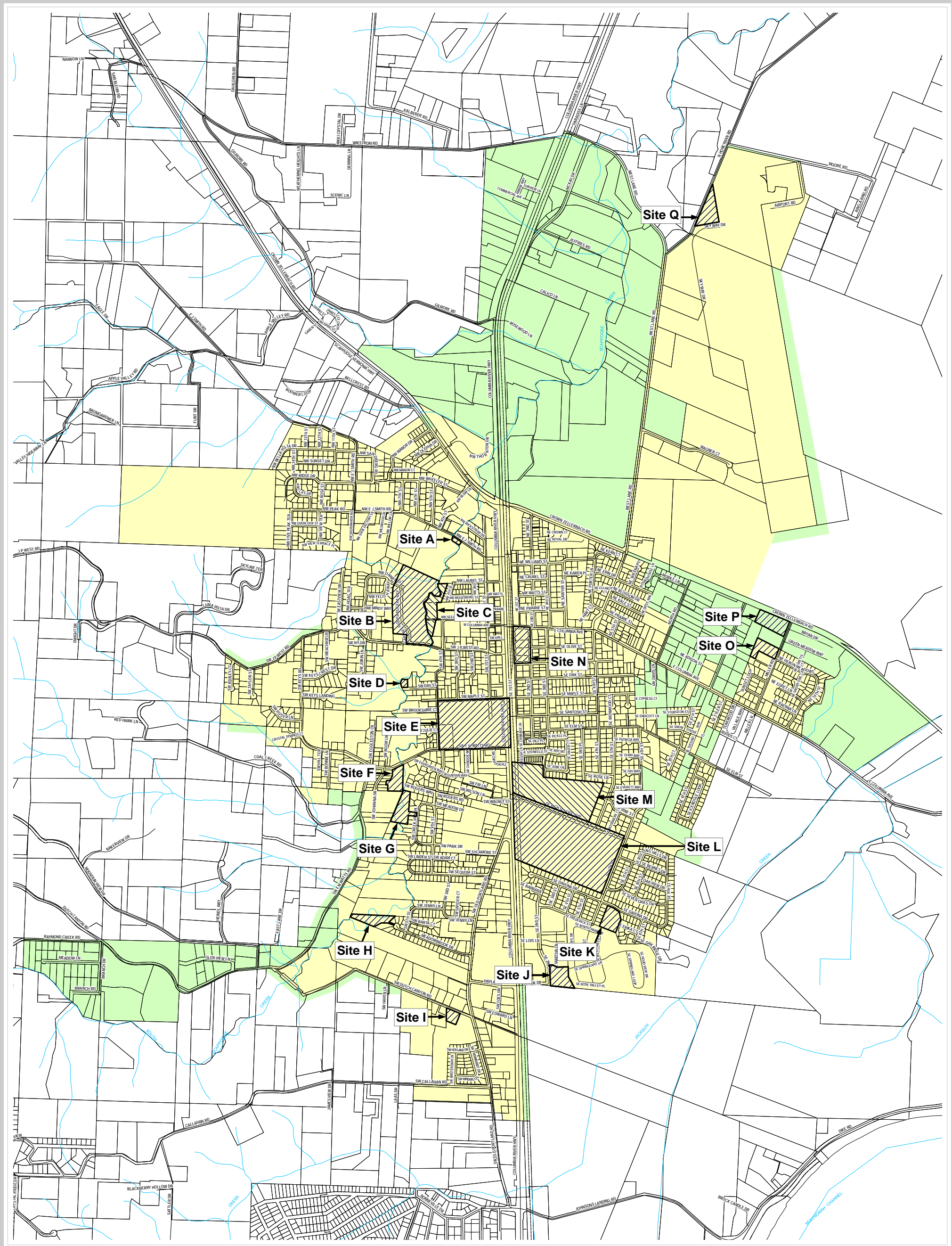
- 1. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes Chapter 197;*
- 2. Any federal or state statutes or rules found applicable;*
- 3. The applicable comprehensive plan policies and map; and*
- 4. The applicable provisions of the implementing ordinances.*

*B. Consideration may also be given to:*

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

**Finding:**

The Planning Commission's recommendations and the City Council's decisions are based on applicable statewide planning goals and guidelines, federal and state statutes and rules, comprehensive plan policies, and provisions of the Scappoose Municipal Code, as detailed in the findings. The City has publicized the proposed amendments and held hearings in accordance with applicable laws. The City is amending the comprehensive plan map and the zoning map to improve consistency regarding Public Lands designations. Section 17.160.120 is satisfied.



City of Scappoose

Vicinity Map – Docket #CPA1-13 & ZC1-13

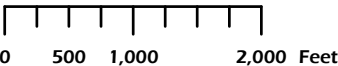


- Legend**
- Streets
  - ~ Rivers
  - Railroads
  - ⊕ Taxlots
  - City Limits
  - Urban Growth Boundary

 Sites proposed for map amendments.

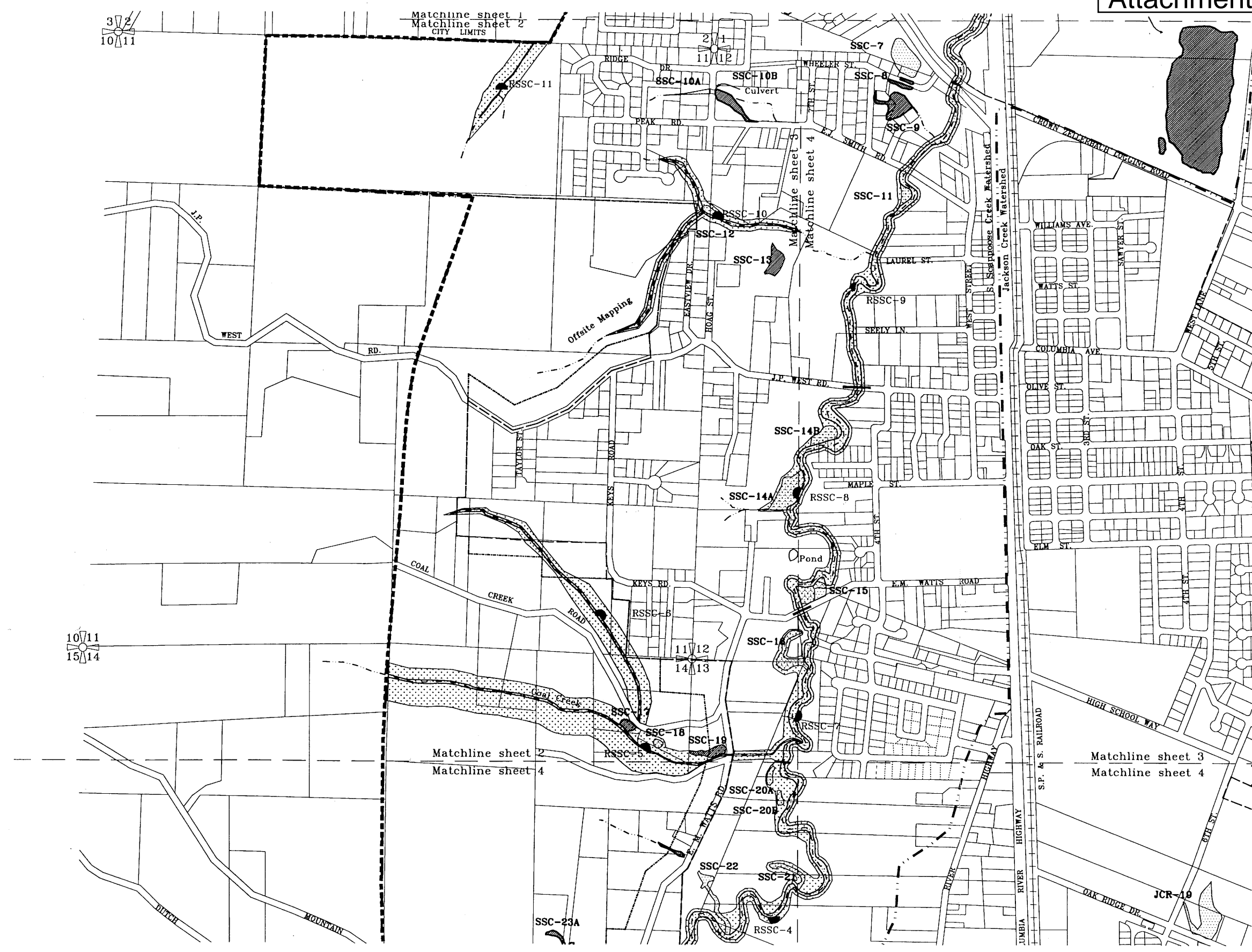


1" = 1500'



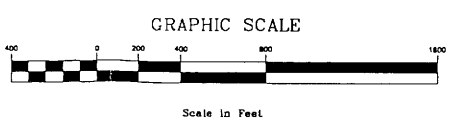
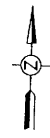


Scappoose  
Riparian Inventory



Project Boundary	On Site Wetland Determination	
Watershed Boundary	Off Site Wetland Determination	
Urban Growth Boundary	Riparian Area	
City Limits	Riparian Assessment Point	
Stream	Riparian Code	RJCR-1

Funding for this project was provided by a grant from the Oregon Division of State Lands, wetlands planning assistance grant program. This grant program is supported by a grant from the U.S. Environmental Protection Agency under authority of the Clean Water Act.



This map is for planning purposes only. It has not been finalized and adopted by the City of Scappoose or approved by the wetland regulatory agencies. You are advised to contact the Oregon Division of State Lands or the U.S. Army Corps of Engineers with any regulatory questions. Mapped wetland boundaries are accurate to within 25 feet, however, there may be unmapped wetlands subject to regulation. In all cases, actual field conditions determine wetland boundaries.

DATE: December, 1998

BASE MAP INFO: Supplied by City of Scappoose

K.C.M. Engineering

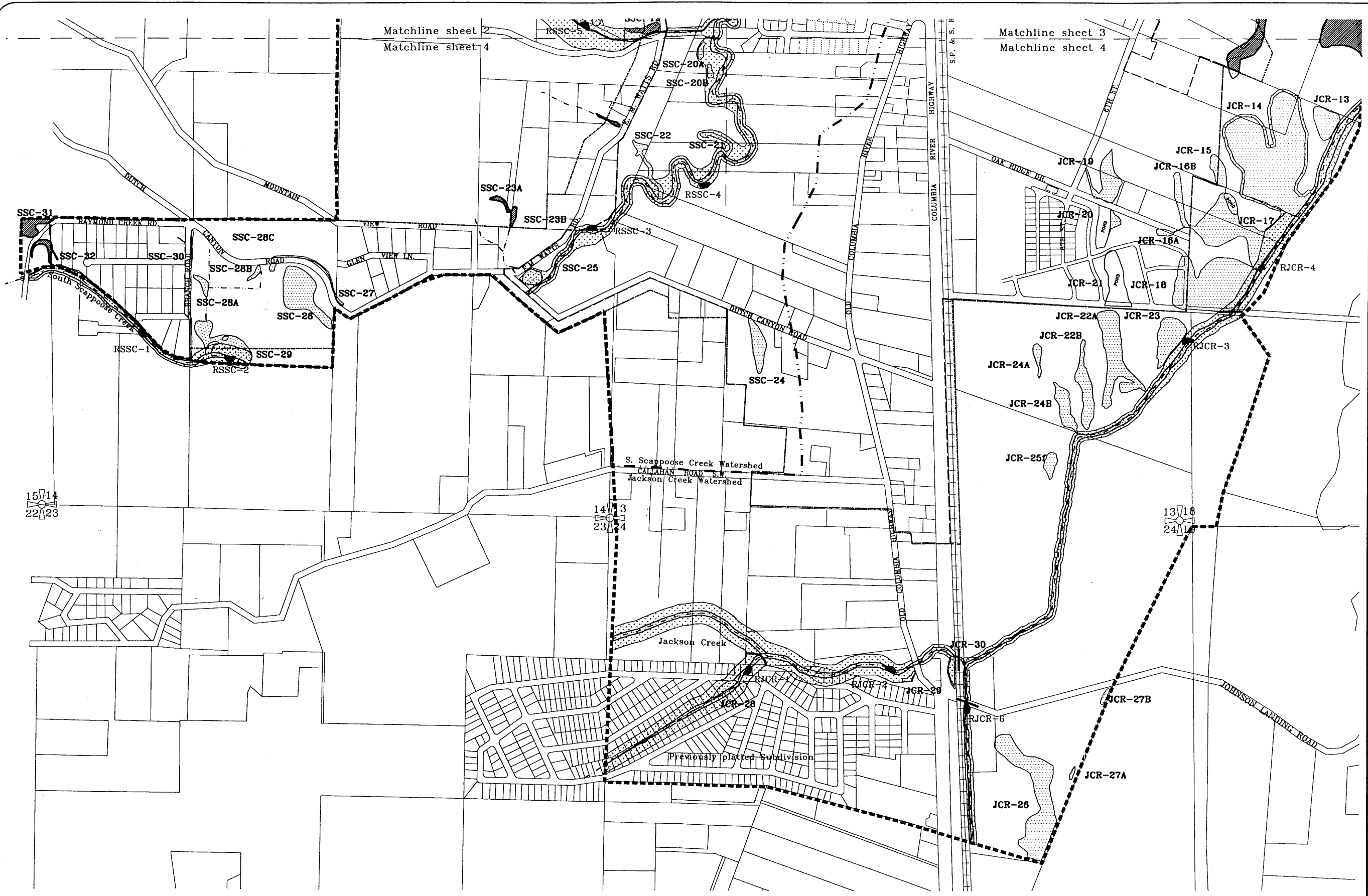
JOB NO.: 7-1427





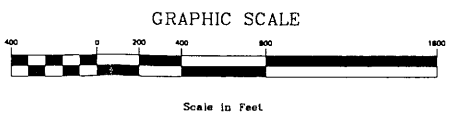
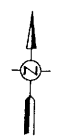
Scappoose  
Riparian Inventory

DATE: December, 1998  
 BASE MAP INFO: Supplied by City of Scappoose  
 K.C.M. Engineering  
 JOB NO.: 7-1427

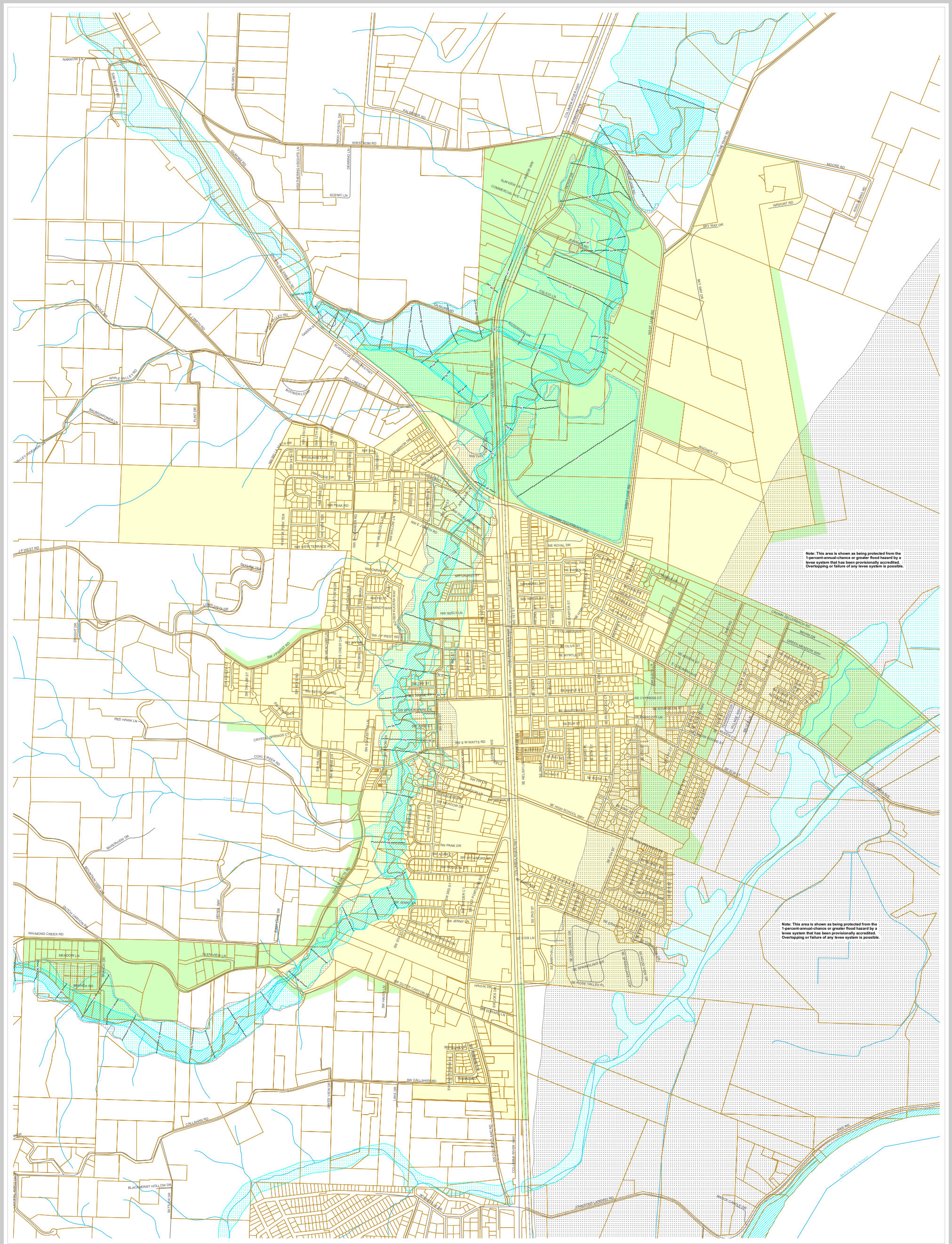


Project Boundary	-----	On Site Wetland Determination	[Stippled Pattern]
Watershed Boundary	- - - - -	Off Site Wetland Determination	[Diagonal Line Pattern]
Urban Growth Boundary	-----	Riparian Area	[Dotted Pattern]
City Limits	-----	Riparian Assessment Point	[Circle with Arrow]
Stream	~~~~~	Riparian Code	RJCR-1

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City of Scappoose

Floodplain Map



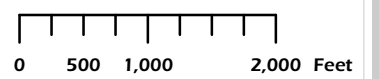
LEGEND

- Streets
- Railroads
- Taxlots
- City Limits
- UGB
- Base Flood Elevations

- Special Flood Hazard Areas subject to inundation by the 1% annual chance flood
- Floodway
- Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood

- o The 1% annual chance flood (also known as a 100-year flood) has a 1% chance of being equaled or exceeded in any given year.
- o The 0.2% annual chance flood (also known as a 500-year flood) has a 0.2% chance of being equaled or exceeded in any given year.
- o The floodway is the area within the 1% annual chance flood that is set aside for flood conveyance.
- o Areas within City Limits in the 100-year floodplain (including the floodway) are subject to Chapter 17.84 [Sensitive Lands-Flooding] of the Scappoose Municipal Code.

Disclaimer: This map has been derived from data supplied by the Federal Emergency Management Agency (FEMA) from the "Flood Insurance Study for Columbia County, Oregon and Incorporated Areas," effective November 26, 2010. This map is not an official digital Flood Insurance Rate Map (FIRM). Official FIRMs may be obtained from FEMA or examined at the Scappoose Community Development Center.

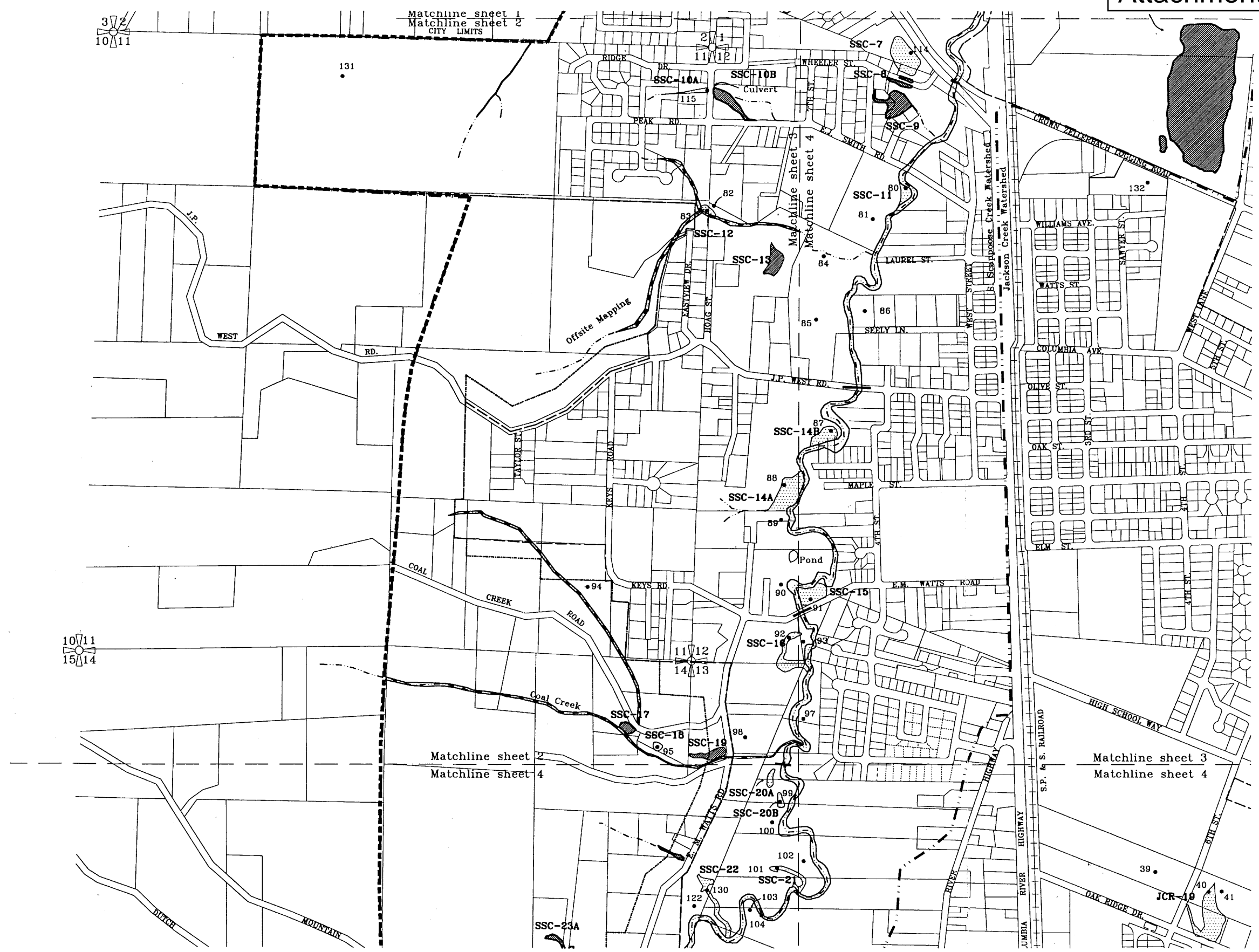






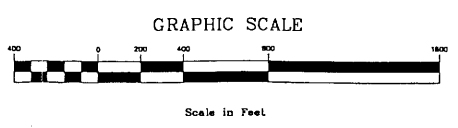
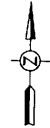
Scappoose  
Local Wetlands Inventory

DATE: December, 1998  
 BASE MAP INFO: Supplied by City of Scappoose  
 K.C.M. Engineering  
 JOB NO.: 5-1234



Project Boundary	-----	On Site Wetland Determination	
Watershed Boundary	- - - - -	Off Site Wetland Determination	
Urban Growth Boundary	.....	Sample Point	•
City Limits	-----	Wetland Code	JCR-1
Stream			

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Received from Len Waggoner 1/9/14

Site Size: 19.26 Acres (839,000 S.F.)  
775 Ft. (US 30) Frontage X 1083 Side

8.21 Acres Commercial  
\$15.00/20.00 S.F.

