

ORDINANCE NO. 870

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

WHEREAS, the City of Scappoose initiated a proposal to amend the Comprehensive Plan Map and Zoning Map; and

WHEREAS, the City has provided notice to, and an opportunity to comment to, all affected governmental units, and legal and public notices have been provided as required by law; and

WHEREAS, the Planning Commission held a hearing on the application on February 8, 2018 and the City Council held a hearing on the application on March 5, 2018; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The Scappoose Comprehensive Plan is hereby amended by re-designating Columbia County Tax Lot 3213-DB-00201 from Public Lands (PL) to Commercial (C) as illustrated in Exhibit A, which is attached hereto and incorporated herein by reference.

Section 2. The Scappoose Zoning Map is hereby amended by re-zoning Columbia County Tax Lot 3213-DB-00201 from Public Lands Recreation (PL-R) to Expanded Commercial (EC) as illustrated in Exhibit B, which is 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 recommendations of the Scappoose Planning Commission and the findings included in the staff report dated February 1, 2018 attached hereto as Exhibit C and incorporated herein by reference.

Section 4. Based on the findings set forth in Exhibit C, the following limitation on the use of property on Tax Lot 3213-DB-00201 is hereby imposed:

All combined uses on Parcel 2 of Partition Plat 2006-11 (currently identified as Columbia County Tax Lot 3213-DB-00201) shall not generate more than 1,000 total average daily trips unless the applicant applies for and receives land use approval for such an increase from the City. This "trip cap" shall be monitored through development review. Appropriate trip generation information, based on the Institute of Transportation Engineers Trip Generation Manual, will be required prior to City approval of any use of the property to ensure this cap is not exceeded. The City of Scappoose shall record a restrictive covenant applicable to the property, in a form acceptable to the City Attorney, in the Columbia County deed records detailing the limitations of the trip cap. The City Attorney's acceptance shall be evidenced by his or her signature on the face of the recorded restrictive covenant, and shall be a condition precedent to the validity of such instrument.

Section 5. This ordinance shall become effective on the date that the restrictive covenant required by Section 4 has been recorded in the Columbia County deed records, but not prior to 30 days after the passage of this ordinance.

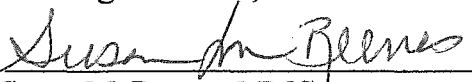
PASSED AND ADOPTED by the City Council this 26th day of March 2018, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON



Scott Burge, Mayor

First Reading: March 5, 2018
Second Reading: March 26, 2018

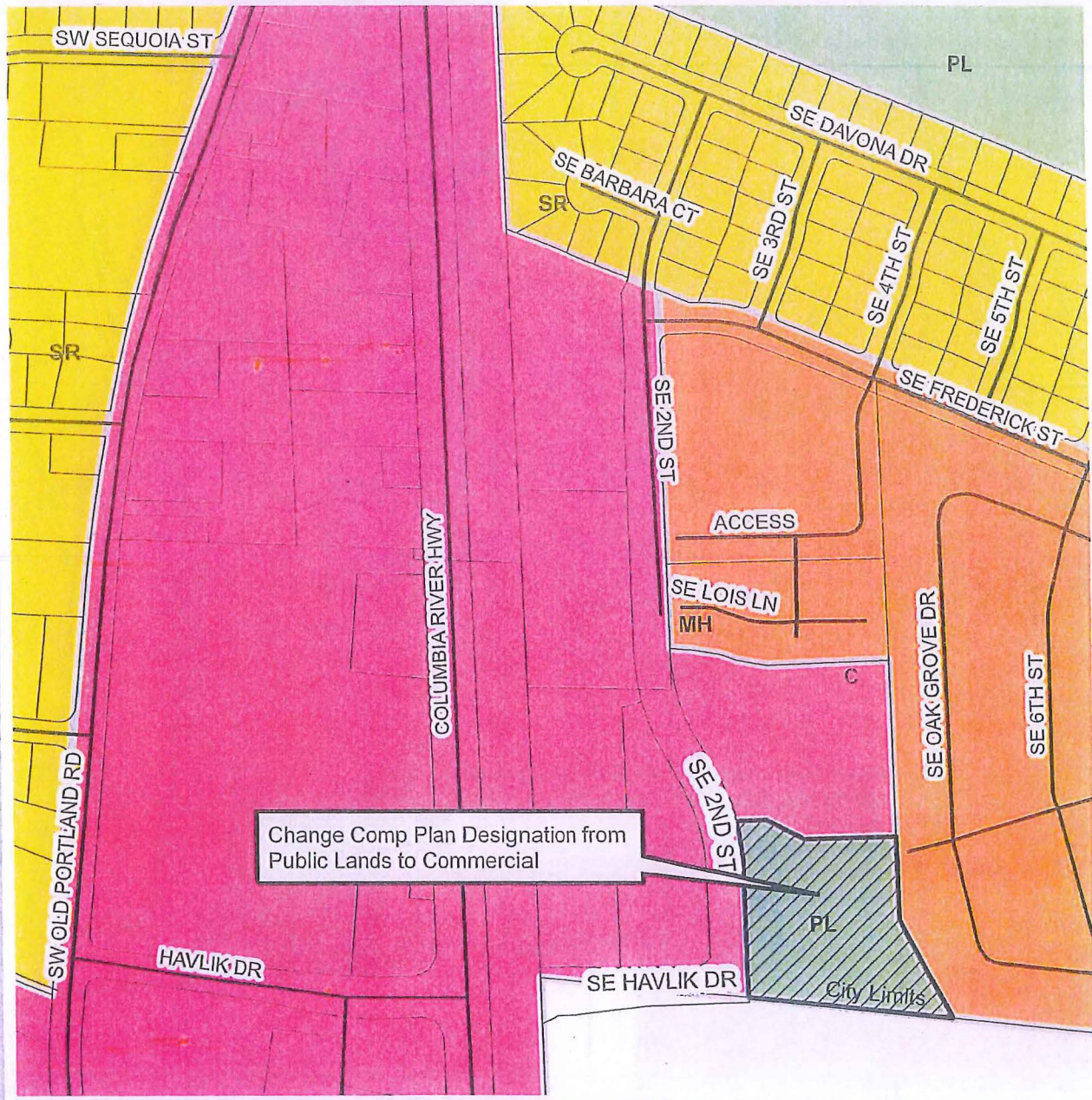
Attest: 

Susan M. Reeves, MMC
City Recorder

Exhibit A

CPA1-18-ZC1-18 - Comp Plan Map of City Owned Parcel

Location: SE 2nd Street
Columbia County Assessor Map: 3212-DB-00201



Change Comp Plan Designation from Public Lands to Commercial



Scappoose GIS

Legend

- Streets
- Taxlots Boundary

Comp Plan Designation

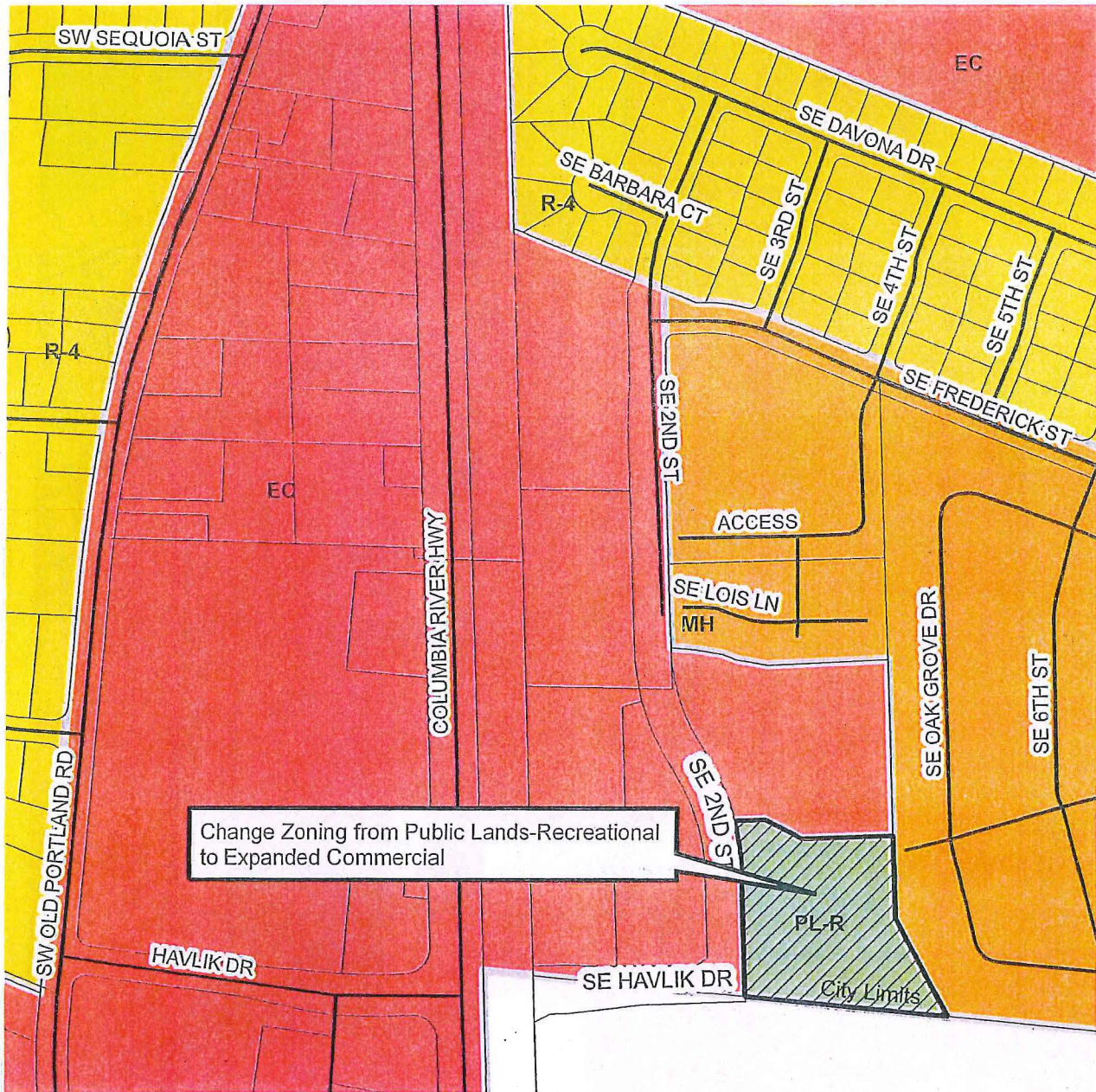
- GR
- SR
- C
- MH
- I
- PL



CPA1-18-ZC1-18 - Zoning Map for Zone Change of City Owned Parcel

Location: SE 2nd Drive

Columbia County Assessor Map: 3212-DB-00201



Change Zoning from Public Lands-Recreational to Expanded Commercial



Scappoose GIS

Legend

- Streets
- Taxlots Boundary

Zoning

R-1	MH	LI	PUA
R-4	C	PL-R	
A-1	EC	PL-U	



Exhibit C

CPA1-18/ZC1-18

February 1, 2017

Commercial Comprehensive Plan Map Amendment and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for a Comprehensive Plan Map Amendment (CPA1-18) and a Zone Change (ZC1-18). The City of Scappoose proposes to amend the Comprehensive Plan map to designate a City-owned parcel from Public Lands to Commercial, and to amend the Zoning map to ensure that the area designated as Commercial on the Comprehensive Plan map has a corresponding Expanded Commercial zoning designation.

Location: The subject site is located east of the SE 2nd Street and Havlik Drive intersection, south of Bi-Mart, and is further described as Columbia County Assessor Map No. 3213-DB-00201. See attached Vicinity Map (Exhibit 1).

Applicant: City of Scappoose

Owner(s): City of Scappoose

EXHIBITS

1. Vicinity map
2. Map of proposed comprehensive plan amendments
3. Map of proposed zone changes
4. Transportation Planning Rule Analysis by DKS (appendix available upon request), dated January 16, 2018
5. ODOT comments, dated January 22nd and 29th, 2018
6. City Engineer comment, dated January 18, 2018
7. DKS response to ODOT comments, dated January 30, 2018

SUBJECT SITE

- The site consists of a 2.53 acre vacant parcel of land, moderately sloping west to east, which is currently designated as Public Lands on the Comprehensive Plan Map and zoned Public Lands Recreation on the zoning map.
- The site is bordered to the north by Bi-Mart Shopping Center; to the west by SE 2nd Street and Fultano's Pizza; to the east by the Springlake Manufactured Home Community; and to the south by City limits and the Urban Growth Boundary (UGB).
- Adjacent zoning is Expanded Commercial (EC) to the west and north, Manufactured Home (MH) to the east, and Columbia County Primary Agriculture (PA-80) to the south.
- The subject site was previously zoned Manufactured Home (MH), and its current zoning of Public Lands-Recreation (PL-R) was the result of a City initiated concurrent comprehensive plan map and zoning map amendment (CPA1-13—ZC1-13) which was adopted by Council on February 3, 2014 via Ordinance 830.

OBSERVATIONSCONCURRENT COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE CHANGE APPLICATIONS

- The City is the applicant and is requesting a comprehensive plan map amendment and zone change, which are Quasi-Judicial decisions requiring the exercise of policy judgment with verbal and written testimony accepted from the public.
- The Scappoose Development Code (Chapter 17.22) indicates that quasi-judicial amendments to the comprehensive plan and maps should be based on the following five considerations:
 - 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.

PUBLIC AND COMMERCIAL LAND USES

- The City is proposing to convert 2.53 acres of land from the Public Lands plan designation (PL) to a Commercial plan designation (C) See **Exhibit 2**. The City purchased this property in 2010 and its intended use was to be the site for a public pool. Due to the inadequate size of the parcel, the facility and maintenance costs to operate a public pool and no viable funding mechanisms to support those costs, the City never constructed a pool and the parcel has remained vacant.
- The parcel is fully surrounded by commercial development along SE 2nd Street and with the City's recent purchase of a nearly identical size parcel of land at 33568 NW Seely Lane to be used as a public park, the City is requesting to rezone this parcel to allow for commercial uses.
- Amending the Comprehensive Plan Map and rezoning the parcel to Expanded Commercial will allow for the subject site to be sold for further commercial development and would be a logical extension of the Expanded Commercial zone.

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

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

the City is required to either deny the application or to require mitigation to offset the traffic impact. For this application, the City has the authority to determine whether there is a significant effect on City streets (SE Havlik Drive and SE 2nd Street), while ODOT has the authority to determine whether there is a significant effect on Highway 30.

- According to calculations provided by DKS Transportation Engineers (Exhibit 4), the current comprehensive plan and zoning designations would generate on the order of 90 average daily trips, with 16 of them during the PM peak hour. Under the proposed comprehensive plan and zoning designations, a reasonable worst case scenario of a shopping center use was evaluated, which showed that the site may generate on the order of 2,529 average daily trips, with 226 of them during the PM peak hour. After accounting for the assumed pass-by trips (reduction) and 16 PM peak hour trips based on the current zoning, the total development net new PM peak hour trips would be 133.
- The traffic study shows no change in the level of service, which is an F now and would remain an F with the proposed rezone for the Havlik Drive/Highway 30 intersection. The volume to capacity ratio of the intersection would downgrade from 1.28 to 1.32 if the application were approved. ODOT has determined that there would be a significant effect on Highway 30 due to the overall increase in daily traffic. ODOT recommends that the City impose a “trip cap” (a limit on traffic from the site) to be consistent with the state Transportation Planning Rule and the Oregon Highway Plan. Additional information can be found under Findings of Fact #2 below.

PUBLIC UTILITY CONSIDERATIONS

- The site has public utilities available to serve the site. A public 12-inch C900 water main is located in SE 2nd Street and Havlik Drive with a separate 8-inch water stub to the property for fire and domestic use. The parcel is also served by an 8-inch PVC sewer main located near the south east corner of the property in a public easement. Storm drainage infrastructure is also available to the parcel, with a 12-inch HDPE stub located at the south east corner of the property which outfalls east into the southern Springlake Pond. The pond drains through an overflow structure at the south east corner of the pond to a drainage channel heading east and finally discharges into Jackson Creek. The City’s water and wastewater treatment plants have adequate capacity to serve the site, whether residential or commercial. The City Engineer has concluded that the subject property is fully served with sufficient roads and infrastructure to develop with commercial uses see **Exhibit 6**.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Scappoose Rural Fire Protection District; the Oregon Department of Transportation; and 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.

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

- Notice of this request was mailed to property owners located within 300 feet of the subject site on January 19, 2018. Notice was also posted on the property on January 23rd and published in the local newspaper on January 19th & 26th, 2018. The City has received no written comments from the public regarding this application.

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 will hold 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 January 19th & 26th, 2018.

Citizens may submit written or verbal testimony regarding the proposed map amendment. 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 is February 8, 2018, while the City Council's hearing date is February 20, 2018. This process complies with the Goal.

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 proposed comprehensive plan map amendment and zone change 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 amend the Comprehensive Plan map and rezone a parcel 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. A comment from the Oregon Department of Transportation has been attached as

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

Exhibit 5. 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: 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 comprehensive plan amendment and zone change is not in conflict 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: Future development of 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 comp plan map amendment and zone change proposal will therefore have no significant impact with respect to this Goal.

Goal 7: Areas Subject to Natural Hazards

Objective: To protect people and property from natural hazards.

Finding: The eastern portion of the subject site is protected by the 100 year floodplain by the dike, and is not subject to the City's floodplain ordinance. There are no identified natural hazards on the subject site, therefore, the proposed comprehensive plan map amendment and zone change is not in conflict with this Goal.

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: As mentioned previously, the City recently purchased property at 33568 NW Seely Lane to be used as a public park. The Seely Lane parcel is 2.22 acres, which is nearly the same size as the subject site (2.53 acres). The reduction in park land then is negligible at .31 acres. The Seely Lane property is better suited as park land since it is located near several apartment complexes, high density single family housing, and close to the City center, rather than surrounded by commercial development. The Seely Park Site Development Review application will be heard by the Planning Commission in March 2018 and the park is expected to be completed by spring 2019. This application is consistent with Goal 8.

*Expanded Commercial Comprehensive Plan Map Amendment and Zone Change****Goal 9: Economic Development:***

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

Finding: The subject site is currently zoned Public Lands-Recreation. This proposal would rezone the site to Expanded Commercial to be developed with commercial uses in the future. This parcel will add an additional 2.53 acres of commercially zoned land to the current inventory of commercial land, which is not significant, but will aid in bringing additional business and employment to the city increasing the welfare and prosperity of Scappoose. This application is consistent with Goal 9.

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 adopted the most recent update to the TSP in 2016. The 2016 TSP assumed that the subject site would develop as a public park, not with commercial uses. The City hired DKS Traffic Engineers to perform a Transportation Planning Rule Analysis to determine if the proposed comp plan map amendment and zone change would have a significant effect on the transportation system. The City does not anticipate that the map changes would cause failure of the local street network, however, ODOT submitted comments indicating that a significant effect, as defined in Oregon Highway Plan Policy 1F.5, would occur as a result of the comp plan map amendment and rezone. Therefore, as recommended by ODOT as sufficient mitigation, the City will impose a trip cap of 1,000 daily trips as a condition of this comp plan map amendment and rezone approval.

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

Statewide Planning Goals 3-4, 10-11, & 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);

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

(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...[...]

(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

[...]

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

Finding: The proposed comp plan map amendment and zone change will not change the functional classification of any transportation facilities or change any of its implementing transportation standards. However, since the volume to capacity ratio for the Havlik and Hwy 30 intersection would go from 1.28 to 1.32 it would degrade the performance of an existing transportation facility such that it would not meet the performance standards identified in the TSP. Therefore, ODOT does consider this a significant effect, which must be mitigated for. ODOT submitted comments stating that an acceptable mitigation would be a trip cap of 1,000 daily trips for the subject site (see **Exhibit 5**).

The City's traffic engineer at DKS submitted comments to support the trip cap as the most desirable option for the City since the other mitigations identified as Alternatives 1 & 2 in the TPR Analysis would be very costly and would take significant additional analysis and conceptual design in order to persuade ODOT that they were viable options that would contribute a significant improvement to the operations at the intersection of Hwy 30 and Havlik Drive.

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

City staff has concurred that the trip cap is acceptable since it would still allow for a wide variety of commercial uses as identified in **Exhibit 7**.

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 2**, the comprehensive plan currently designates the subject site as Public Land. This proposal would amend the comprehensive plan map and the zoning map so that the site is designated as Commercial and zoned Expanded Commercial. This action has been proposed to reflect the existing patterns of development in the surrounding area as a commercial corridor. The proposed amendment is supportive of this Goal.

7) Commercial areas should provide maximum service to the public and should be safely integrated into the physical pattern of the community.

Finding: The proposed application would rezone the parcel to Expanded Commercial (EC) to allow commercial uses on the site. By zoning the parcel EC, the City will maintain a cohesive pattern of commercial development. The proposed amendment is supportive of this goal.

9) Open spaces should be protected for future generations.

Finding: Since this proposal would change the zoning designation from Public Lands-Recreation (PL-R) to Expanded Commercial (EC), the City has purchased a parcel of land (at 33306 NW Seely Lane) which will be the location of a City park in a more appropriate location. The City was recently awarded a grant from the Oregon Parks & Recreation Department which will be used to complete construction of the park by spring of 2019. With the purchase and completion of the park, the City offsets the loss of parklands on SE 2nd St. and will maintain the same acreage of park land throughout the city. Future designation of the Seely Lane parcel as Public Lands on the comprehensive plan and zoning maps will formalize protection of the open space. The proposed 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 area proposed to be zoned Expanded Commercial is located in an area that encourages a pattern of commercial development and public benefits across the community. The proposed amendment is supportive of this Goal.

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

14) The local economy should be strengthened and diversified.

Finding: This proposal would rezone an existing Public Lands parcel to an Expanded Commercial designation and amend the Comprehensive Plan Map to reflect the appropriate designation. By rezoning this parcel to Expanded Commercial it would allow for further commercial development in and around the area. Commercial development aids in strengthening economic development and expands the City's local economy. The proposed amendment is supportive of this Goal.

Goals 2-6, 8, 10-13, 15-19 do not apply

GOALS FOR THE COMMERCIAL LAND USE DESIGNATION

It is the goal of the City of Scappoose to:

1) Establish commercial areas which provide maximum service to the public and which are safely integrated into the physical pattern of the City.

2) Establish conditions which will assure that arterial traffic flows are not disrupted and that access to and from these locations is designed for safety.

Finding: The proposal would rezone the subject site from PL-R (Public Land-Recreation) to EC (Expanded Commercial). By rezoning the parcel, the City would be removing vacant lots from an established commercial area by adding land for future commercial development. The subject site is in a commercially zoned area with a cluster of commercial businesses abutting the site to the north, east and across 2nd Street to the West. The amendment would integrate further development into the current physical pattern of the city.

The City is establishing a trip cap as part of the recommended conditions of approval which will ensure that arterial traffic flows are not disrupted. The proposed amendment is supportive of this goal.

Goal 3 does not apply.

POLICIES FOR THE COMMERCIAL LAND USE DESIGNATION

It is the policy of the City of Scappoose to:

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

4) Locate business activities in clusters for the convenience of the public to be served rather than scattered or mixed with non-commercial land uses.

10) Not expand the amount of commercially-zoned land until sufficient in-filling has occurred in vacant areas.

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

Finding: The subject site is currently constrained by its Comprehensive Plan and Zoning Map designation from any commercial development. Amending the maps to allow full commercial development would create a business cluster and allow for commercial development on the parcel rather than scatter business activities with non-commercial land uses.

As evidenced by recent construction of the Goodwill, Les Schwab, Fultano's Pizza, and Bi-Mart in the past few years since SE Havlik Drive and SE 2nd Street opened, this area is attractive and appropriate for commercial development. Converting the subject site from the PL-R zone to the EC zone would allow continued economic development on a fully-improved street. The City's proposal would further the goals and policies listed above by expanding an existing commercial area and leading to future building on vacant land.

Policy 10 would be difficult to measure since there is no way to define "sufficient" in-filling. Anecdotally, however, the majority of the commercial properties in town have tenants and there are fewer vacant storefronts than there have been in the last several years. The proposed amendment is supportive of this policy.

Policies 2-3, 5-9 do not apply.

GOAL FOR ECONOMICS

It is the goal of the City of Scappoose to:

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

Finding: The proposal to amend the current Comprehensive Plan designation and change the zoning map would allow for commercial uses, thereby providing land necessary to promote economic development in an area attractive to commercial developers. The proposed amendment is supportive of this Goal.

Goals 1-2, and 4-5 do not apply.

POLICIES FOR ECONOMICS

It is the policy of the City of Scappoose to:

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

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

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

4) *Encourage the expansion of employment opportunities within the urban area, so residents can work within their community.*

Finding: This proposal would result in a commercially-zoned parcel which would lead to expansion of the available commercial land and additional development on SE 2nd Street, which will improve the existing commercial district the parcel is located within, and provide additional employment opportunities for members of the community. The proposed amendment is supportive of these policies.

Policies 3, 5-18 do not apply.

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

17.22.040 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 proposal is consistent with the applicable Comprehensive Plan policies and proposed zoning map designations as discussed within this staff report. The change would permit compatible commercial development in an existing commercial use cluster.

The standards of the Development Code ensure that future commercial development does not have negative impacts on the surrounding area. For this reason, the City can conclude that the proposal would not adversely affect the health, safety, or welfare of the community.

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

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

The proposed comp plan map amendment and zone change are a result of a change in the community. The City had previously purchased the property in order to construct a community pool on the site. However, due to the inadequate size of the parcel, and the lack of a funding mechanism to allow for the construction and mainly the continued operation and maintenance of a community pool, the property has sat vacant for over 7 years under the City's ownership. Since the City's purchase of the property in 2010, the following changes and developments have occurred on SE 2nd Street, in the immediate vicinity of the property:

- Fultano's Pizza received land use approval (SDR1-11), was constructed, and is in operation.
- Les Schwab Tire Center received land use approval (SDR2-11), was constructed, and is in operation.
- Goodwill received land use approval (SDR5-11), was constructed, and is in operation.
- Bi-Mart received land use approval (SDR1-14), was constructed, and is in operation.

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 can be found under Findings of Fact # 2 above. The City Engineer and the Oregon Department of Transportation have submitted comments on this application (**Exhibit 5 & 6**). Since the amendment would have a significant effect on transportation facilities, the City will be imposing a cap of 1,000 daily trips, as requested by ODOT, as mitigation. Section 17.22.050 is satisfied.

Chapter 17.68 EC EXPANDED COMMERCIAL

17.68.030 Permitted uses. In the expanded commercial zone, except as specifically stated, activities shall be conducted within an enclosed building or structure and are subject to site development review, Chapter 17.120, Site Development Review. Only the following uses and their accessory uses are permitted outright:

A. Agricultural sales;

B. Automotive and equipment:

1. Repairs provided that a five-foot landscaped perimeter setback surround all outdoor parking and storage areas and all repair work is performed indoors;

2. Sales/rental/storage of farm equipment, automobiles, recreational vehicles, boats or light equipment, provided that a five-foot landscaped perimeter setback surrounds all outdoor parking and all storage areas are buffered and screened in accordance with Chapter 17.100, Landscaping, Screening and Fencing.

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

- C. Building materials sales and storage;*
- D. Building maintenance services;*
- E. Business equipment sales and services;*
- F. Church;*
- G. Commercial amusement facilities including bowling alleys, video arcades, and movie theaters other than adult motion picture theaters;*
- H. Communication services;*
- I. Construction sales and services;*
- J. Day care facility;*
- K. Dwelling units located on the second floor of a commercial structure;*
- L. Eating and drinking establishments;*
- M. Equipment rental and sales;*
- N. Financial, insurance and real estate services;*
- O. General retail sales;*
- P. Home occupation (Type I) subject to Chapter 17.142, Home Occupations;*
- Q. Laundry services;*
- R. Medical and dental services;*
- S. Mini-storage with or without caretaker dwelling;*
- T. Multifamily dwelling units per A-1 requirements when located at least two hundred feet from Highway 30 and outside of the Scappoose Creek Flood Plain;*
- U. Packaging and production of finished products from previously prepared materials;*
- V. Parking facilities;*
- W. Participation sports and recreation, indoor;*
- X. Postal services;*
- Y. Professional and administrative offices;*
- Z. Public safety services;*
- AA. Public support facilities;*
- BB. Recreational vehicle parks subject to Chapter 17.94, Manufactured Home Regulations;*
- CC. Research services;*
- DD. Residential care facilities when located at least two hundred feet from Highway 30 and outside of the Scappoose Creek Flood Plain;*
- EE. Small animal sales and services including veterinary;*
- FF. Vehicle fuel sales, retail;*
- GG. Wholesale, storage and distribution;*
- HH. Hotel/motel;*
- II. Any permitted use on a temporary basis subject to Scappoose Municipal Code 17.128, Temporary Commercial and Industrial Uses;*
- JJ. Wireless communications facilities, not to include antenna support structures, subject to the provisions of Chapter 17.93.*
- KK. Public and private schools including but not limited to charter schools and career schools as defined and regulated by the State of Oregon.*

Finding: As listed above, a variety of uses are permitted in the Expanded Commercial zoning district. This application does not specify a particular use, although a change in zoning would permit compatible commercial development in an existing commercial area.

Expanded Commercial Comprehensive Plan Map Amendment and Zone Change

Future development proposals must comply with the requirements of this section. Section 17.68.030 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING—QUASI-JUDICIAL17.162.140 Decision process.

A. The decision shall be based on:

1. Proof by the applicant that the application fully complies with:

- a. Applicable policies of the city comprehensive plan; and
- b. The relevant approval standards found in the applicable chapter(s) of this title, the public works design standards, and other applicable implementing ordinances

B. Consideration may also be given to:

1. Proof of a substantial change in circumstances or a mistake in the comprehensive plan or zoning map as it relates to the property which is the subject of the development application; and

2. Factual oral testimony or written statements from the parties, other persons and other governmental agencies relevant to the existing conditions, other applicable standards and criteria, possible negative or positive attributes of the proposal or factors in subsections (A) or (B) (1) of this section.

C. In all cases, the decision shall include a statement in a form addressing the planner's staff report.

D. The approval authority may:

- 1. Adopt findings and conclusions contained in the staff report;
- 2. Adopt findings and conclusions of a lower approval authority;
- 3. Adopt its own findings and conclusions;
- 4. Adopt findings and conclusions submitted by any party provided all parties have had an opportunity to review the findings and comment on the same; or
- 5. Adopt findings and conclusions from another source, either with or without modification, having made a tentative decision, and having directed staff to prepare findings for review and to provide an opportunity for all parties to comment on the same.

E. The decision may be for denial, approval or approval with conditions.

1. Conditions may be imposed where such conditions are necessary to:

- a. Carry out applicable provisions of the Scappoose comprehensive plan;
- b. Carry out the applicable implementing ordinances; and
- c. Ensure that adequate public services are provided to the development or to ensure that other required improvements are made; [...]

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. Section 17.162.140 is satisfied.

RECOMMENDATION

The City has proposed to amend the comprehensive plan map to allow for the subject site to be sold for further commercial development which would contribute to a logical extension of the Expanded Commercial zoning district.

Based on the applicable statutes, rules, comprehensive plan provisions and implementing ordinances, staff recommends that the Planning Commission and City Council **APPROVE** CPA1-18/ZC1-18, subject to the following conditions:

1. All combined uses on the subject site (further described as Columbia County Tax Lot 3213-DB-00201) shall not be permitted to generate more than 1,000 average daily trips. This "trip cap" shall be monitored through development review. Appropriate trip generation information, based on the Institute of Transportation Engineers Trip Generation Manual, will be required prior to any use of the property to ensure this cap is not exceeded.
2. The City shall record a restrictive covenant in the Columbia County deed records detailing the limitations of the trip cap.



MEMORANDUM

DATE: January 16, 2018

TO: Laurie Oliver | City of Scappoose

FROM: Reah Flisakowski, PE | DKS Associates
Aaron Berger, PE | DKS Associates

SUBJECT: Scappoose Havlik Drive/SE 2nd Street Commercial Rezone Study

This memorandum presents the transportation analysis for the proposed rezoning of a 2.57-acre parcel located on the northeast corner of Havlik Drive/SE 2nd Street in Scappoose, Oregon. The purpose of this study is to identify potential transportation impacts the proposed zone change may have on the nearby transportation network. The study includes a description of the proposed zone change, existing and future study intersection operations, project traffic impacts, and recommended mitigations. This impact study relies on data and analysis that was conducted for the 2016 Scappoose Transportation System Plan (TSP)¹.

EXISTING CONDITIONS

Evaluating the transportation impacts of the proposed rezone requires an understanding of the existing transportation facilities in this area. This section includes a description of the existing infrastructure, and traffic operations analysis and collision analysis focused on the US 30/Havlik Drive intersection. This intersection was selected based on its close proximity to the study site and its regional significance on the highway.

Roadway Facilities

The highest capacity facility is US 30, which is classified by the state as a Statewide Highway. It runs north to south through Scappoose. The highway maintains a five-lane cross-section (i.e., two through lanes in each direction, and a center turn lane). Havlik Drive provides a collector connection between Old Portland Road, west of US 30 to SE 2nd Street, east of US 30. The cross-section on Havlik Drive varies due to the intersection with US 30 and commercial fronting properties that require numerous turn lanes. At the study intersection, US 30 provide sidewalks on the west side of the street and bike lanes on both sides of the street. Havlik Drive provides sidewalks on both sides of the street and bike lanes on both sides of the street on the east leg.

¹ Scappoose Transportation System Plan, DKS Associates, adopted September 6, 2016.



Intersection Performance Measures

Intersection operations are monitored through mobility targets intended to maintain a minimum level of efficiency for motor vehicle travel. Volume-to-capacity (v/c) ratios are used to gauge intersection operations in the study area.

- **Level of service (LOS):** A "report card" rating (A through F) based on the average delay experienced by vehicles at the intersection. LOS A, B, and C indicate conditions where traffic moves without significant delays over periods of peak hour travel demand. LOS D and E are progressively worse operating conditions. LOS F represents conditions where average vehicle delay has become excessive and demand has exceeded capacity. This condition is typically evident in long queues and delays.
- **Volume-to-capacity (v/c) ratio:** A decimal representation (typically between 0.00 and 1.00) of the proportion of capacity that is being used at an intersection. A lower ratio indicates smooth operations and minimal delays. As the ratio approaches 1.00, congestion increases and performance is reduced. If the ratio is greater than 1.00, the turn movement, approach leg, or intersection is oversaturated and usually results in excessive queues and long delays.

The study intersection is under the jurisdiction of the state. State-owned streets must comply with the mobility targets included in the Oregon Highway Plan. This document identifies a volume to capacity ratio of 0.80 as the mobility target for the US 30/Havlik Drive intersection.

Study Intersection Analysis

The purpose of conducting an intersection analysis is to ensure that the transportation network remains within desired performance levels as required ODOT mobility targets. Intersections are the focus of the analysis because they are the controlling bottlenecks of traffic flow and the ability of a roadway system to carry traffic efficiently is nearly always diminished in their vicinity. The existing traffic operations at the study intersection was evaluated for the PM peak hour. This traffic analysis did not conduct new intersection counts, but rather used the volumes previously reported for existing conditions (2013) reported in the TSP. The Scappoose TSP provided 30th highest hour volumes for the US 30/Havlik Drive study intersection. The resulting level and v/c ratio of each study intersection is shown in Table 1. As shown, the study intersection does not meet the applicable mobility target during the existing PM peak periods.

Table 1. Existing Traffic Operations

Intersection	Jurisdiction	Mobility Target/Operating Standard		2013 Existing 30HV PM Operations	
		LOS	VC	LOS	VC
US 30/Havlik Drive	ODOT	N/A	0.80	D	0.92

Signalized Intersections:

LOS = Level of Service of Intersection

V/C = Volume-to-Capacity Ratio of Intersection



Collision Analysis

The study area collision records for US 30/Havlik Drive were obtained for 2012 through 2016 from the ODOT Crash Analysis and Reporting Unit. The collisions are broken down by severity in Table 2. Three of the reported crashes resulted in moderate injuries, and there were no fatalities. Overall, approximately 56% of the collisions resulted in injuries.

Table 2. Collision Summary

Intersection	Collisions (By Severity)					Collision Rate ^b
	Serious Injury	Moderate Injury	Minor Injury	PDO ^a	Total	
US 30/Havlik Drive	0	3	12	12	27	0.52

^a PDO = Property damage only.

^b Collision rate for intersections = average annual collisions per million entering vehicles (MEV); MEV estimates based on PM peak-hour traffic count and applicable factors.

Safety Priority Index System (SPIS) Assessment

The Safety Priority Index System (SPIS) is a method developed by ODOT for identifying hazardous locations on and off state highways. The score for each 0.10-mile segment of highway is based on three years of crash data, considering crash frequency, rate, and severity. SPIS then ranks all segments throughout the state by score and identifies the top 5 percent and top 10 percent segments.

According to the ODOT 2015 SPIS ratings (data reported between 2012 and 2014), 2014 SPIS ratings (data reported between 2011 and 2013), 2013 SPIS ratings (data reported between 2010 and 2012), and 2012 SPIS ratings (data reported between 2009 and 2011), the study intersection is not ranked among the top most hazardous sections of highways in Oregon.

PROPOSED ZONE CHANGE

The existing vacant parcel is currently zoned Public Land/Recreation and is proposed for rezoning to Expanded Commercial for the entire parcel. The existing and proposed zonings were evaluated to determine the level of development that would best represent the worst-case buildout for the site.

Process

Transportation system planning in Oregon is guided and enforced by Statewide Planning Goal 12: Transportation. The Transportation Planning Rule (TPR), OAR 660-012, describes how to implement Planning Goal 12 in all communities throughout the State.

By implementing Planning Goal 12, the TPR promotes the development of safe, convenient, and economic transportation systems that are designed to reduce reliance on the automobile. OAR 660-012-0060 of the TPR addresses amendments to plans and land use regulations and includes measures to be taken to ensure allowed land uses are consistent with the identified function and capacity of existing and planned transportation facilities. This rule includes criteria for identifying significant effects of plan or land use regulation amendments on transportation facilities, actions to be



taken when a significant effect would occur, identification of planned facilities, and coordination with transportation facility providers.

When transportation impact analysis indicates the surrounding transportation facilities will be significantly impacted by a proposed change in land use (as with the US 30/Havlik Road intersection in this study), the TPR requires that measures be taken consistent with the rule.

Trip Generation

Trip generation is the method used to estimate the number of vehicles added to the site driveways and roadway network by the development. Trip generation for the commercial site includes the total number of vehicles that are expected to access the site and also takes into account that not all trips generated by a development are new vehicles being added to the roadway network. For many land uses, a portion of the site traffic includes vehicles that currently exist in the area and that chose to stop at the development. Such trips are called “pass-by trips” if the vehicles are already on the adjacent roadway and “diverted trips” if they have to adjust their usual routing to visit the site. The ITE Trip Generation Handbook² provides methodology for estimating total new trips, pass-by trips, and diverted trips. The 10th Edition Handbook was used to estimate trips for Land Use Code 411 because the 9th Edition does not provide peak hour trips rates. The 9th Edition Handbook was used to estimate trips for the remaining land uses.

Existing Zoning Trip Generation

Based on the existing zone designation, the 2.57-acre property could be developed into a public park. Table 3 shows the number of trips generated during the PM peak hour for the existing development scenario.

Table 3. PM Peak Hour Trip Generation for Existing Zoning

Land Use (ITE Code)	Acres	PM Peak Hour Generation Rate (trips/acre)	Daily Trips	PM Peak Hour Trips
				Total (In/Out)
Public Park (411)	2.57	6.1	90	16 (6 / 10)

*Calculated using ITE Trip Rate Equation for land use type

Proposed Zoning Trip Generation and Total New Trips

The assumed land use for the proposed commercial zoning was assumed to be a shopping center. The assumed highest intensity development scenario assumes full site buildout with a 0.25 Floor Area Ratio (FAR), resulting in 27,987 sq. ft. of shopping center gross floor area. The number of trips accessing development (both daily and during the PM peak hour) was estimated using the shopping center trip generation equations provided by the Institute of Transportation Engineers³ (ITE). The new trip generation estimate is summarized in Table 4.

² Trip Generation Handbook Second Edition, Institute of Transportation Engineers, June 2004, Chapter 4.

³ Trip Generation, 9th Edition and 10th Edition, Institute of Transportation Engineers, 2012 and 2017.



Table 4. PM Peak Hour Trip Generation for Proposed Zoning

Land Use (ITE Code)	Size (SQFT)	PM Peak Hour Generation Rate (trips/1000 SQFT)	Daily Trips	PM Peak Hour Trips
				Total (In/Out)
Shopping Center (820)	27,987	8.08	2,529	226 (113 / 113)

* Calculated using ITE Trip Rate Equation for land use type

Pass-By Trips

In the case of pass-by trips, the vehicles are added only to the site driveways and not to study area intersections or roadways. The pass-by trips accessing the retail center would already be using the adjacent roadway (i.e. SE 2nd Street and Havlik Drive) and enter into the development as part of their pre-existing trip. For a shopping center, ITE specifies⁴ that 34% of site trips can be classified as pass-by trips. Given the 226 new weekday PM peak hour trips, a 34% pass-by percentage corresponds to 77 PM peak hour trips. The travel demand forecast for SE 2nd Street projects approximately 1,200 PM peak hour trips on the facility, so the 77 PM peak hour pass-by trips are reasonable. Pass-by trip estimates are summarized in Table 5.

Table 5. Pass-By Trips Estimate for Proposed Zoning

Land Use (ITE Code)	Total PM Peak Hour Trips	Estimated Pass-By Trips	
	Total (In/Out)	% of Total	Total (In/Out)
Shopping Center (820)	226	34%	77 (39 / 38)

Diverted Trips

For diverted trips, the vehicles are added to both the site driveways and the additional intersections and roadways they use to access the site. In addition, the diverted vehicles are subtracted from the intersections and roadways they no longer use. The methodology used to determine diverted traffic involved taking the pass-by trips that were typical of a shopping center (e.g. 77 pass-by trips) and subtracting the pass-by trips that were actually recommended. For this rezone, the estimated pass-by trips equaled the typical pass-by trips, resulting in no assumed diverted trips.

Net New Trips rezone

The net new trip volumes for the rezone site include the proposed shopping center trips as well as the appropriate reductions for trips from existing zoning and pass-by trips. The proposed retail center development is estimated to generate 226 new PM peak hour trips (new to the site driveways) and 149 net new PM peak hour trips (new to the entire study area roadway network). These values

⁴ Trip Generation Handbook Second Edition, Institute of Transportation Engineers, June 2004, Chapter 4, Land Use Code 820.

represent the number of trips added to the roadway network for the analysis of future conditions. The development's net new trip generation is summarized in Table 6.

Table 6. Trip Generation Summary

Trip Type	Total PM Peak Hour Trips (In / Out)
Total New Trips	226 (113 / 113)
Pass-By Trips (Reduction)	77 (39 / 38)
Total Development Net New Trips	149 (74 / 75)
Trips Generated by Current Zoning	16 (6 / 10)
Net Trip Increase from Zone Change	133 (68 / 65)

Also shown in Table 6 is the number of trips generated by the existing zoning, and the net increase due to the proposed zone change. These values were used for the analysis of future operations at the US 30/Havlik Drive intersection.

Trip Distribution

A determination of trip distribution for primary trips to and from the proposed rezone site was estimated using the Scappoose TSP year 2035 Financially Constrained Travel Demand Model. The model indicated that 41% of outbound and 58% of inbound trips would route through the US 30/Havlik Drive intersection. The distributions of these trips at the US 30/Havlik Drive intersection is summarized in Table 7.

Table 7. PM Peak Hour Rezone Trip Distribution at US 30/Havlik Drive

Outbound Trips		Inbound Trips	
Movement	% of site trips	Movement	% of site trips
WBL	6%	SBL	13%
WBT	23%	EBT	22%
WBR	12%	NBR	23%
Total	41%	Total	58%



Future Operations

To determine whether the proposed zone change would result in off-site traffic impacts, intersection operations were evaluated at the US 30/Havlik Drive intersection for the scenarios listed below.

- 2035 Baseline (volumes from Scappoose TSP)
- 2035 Baseline with Proposed Zone Change

The Scappoose TSP was adopted in September 2016 and provides 30th highest hour volumes recently approved by ODOT. The TSP analysis represents the 2035 baseline scenario since the forecasted volumes are based on current land use designations and zoning.

Table 8 provides the intersection operations for 2035 operations for the baseline condition and with the proposed zone change. As shown, the US 30/Havlik Drive study intersection does not meet ODOT mobility targets during the 2035 baseline scenario or with the proposed zone change. The measured impact from the proposed zone change to the US 30/Havlik Drive intersection is 61 additional peak hour trips and a 0.04 volume to capacity increase.

Potential mitigations for failing intersections during all scenarios are discussed in a following section of this report.

Table 8. 2035 Traffic Operations with Project and Background Growth

Intersection	Jurisdiction	Mobility Target/Operating Standard		2013 Existing 30HV PM Operations	
		LOS	VC	LOS	VC
2035 Baseline					
US 30/Havlik Drive	ODOT	N/A	0.80	F	1.28
2035 Baseline + Rezone					
US 30/Havlik Drive	ODOT	N/A	0.80	F	1.32

Signalized Intersections:

LOS = Level of Service of Intersection

V/C = Volume-to-Capacity Ratio of Intersection



MITIGATIONS

Two potential improvements at the US 30/Havlik Drive intersection were analyzed. The mitigations were evaluated to determine whether they could bring operations back to baseline conditions.

Alternative 1: Dual Westbound Left Turn Lanes

This alternative included restriping the westbound approach of the US 30/Havlik Drive intersection to include a dual westbound left turn. The existing median striping between the westbound left turn lane and westbound through-right lanes on Havlik Drive would be removed and restriped as a 150-foot left turn lane. This alternative would require removal of some raised median at the railroad crossing, and potentially require the left turn stop bar be moved back, which could create a conflict with the existing railroad crossing. This alternative assumes a right turn overlap phase for the southbound right turn.

Alternative 2: Exclusive Westbound Right Turn Lane

This alternative included restriping the westbound approach of the US 30/Havlik Drive intersection to a westbound right turn lane, westbound through, and westbound left turn lane. The westbound through lane would be slightly offset from the receiving lane, but still within the allowable half-lane offset. The existing median striping between the westbound left turn and westbound through-right lanes on Havlik Drive would be removed and re-striped as the exclusive through lane. This alternative would also require the removal of some raised median at the railroad crossing. The alternative also assumes right turn overlap phasing for the southbound right and new exclusive westbound right.

Mitigation Alternatives Summary

The results of the mitigation analysis are shown in Table 9. Alternative 1 does not improve traffic operations, and also creates some potential design conflicts with the existing rail crossing. Therefore, Alternative 1 is not recommended as a mitigation for the proposed rezone. Alternative 2 improves traffic operations to better than under the baseline conditions with the existing zoning. This alternative is feasible, and is recommended as a mitigation to the proposed rezone impacts.

Table 9. 2035 Traffic Operations with Proposed Mitigations

Intersection	Jurisdiction	Mobility Target/Operating Standard		2013 Existing 30HV PM Operations	
		LOS	VC	LOS	VC
Alternative 1: Dual Westbound Left Turn Lanes					
US 30/Havlik Drive	ODOT	N/A	0.80	F	1.32
Alternative 2: Exclusive Westbound Right Turn Lane					
US 30/Havlik Drive	ODOT	N/A	0.80	F	1.21

Signalized Intersections:

LOS = Level of Service of Intersection

VC = Volume-to-Capacity Ratio of Intersection



Oregon

Kate Brown, Governor

Department of Transportation
Region 2 Tech Center
455 Airport Road SE, Building A
Salem, Oregon 97301-5397
Telephone (503) 986-2990
Fax (503) 986-2839

Exhibit 5

DATE: January 22, 2018

TO: Ken Shonkwiler
Region 2 Senior Planner

FROM: 
Keith P. Blair, PE
Region 2 Senior Transportation Analyst

SUBJECT: Havlik Drive @ SE 2nd Street (Scappoose) – Transportation Planning Rule
TPR Analysis Review Comments

ODOT Region 2 Traffic has completed our review of the submitted TPR analysis (dated January 16, 2018) to address traffic impacts due to a proposed rezoning of a 2.57-acre parcel east of US 30 (on the northeast corner of Havlik Drive and SE 2nd Street) in the city of Scappoose, with respect to consistency and compliance with current versions of ODOT's *Analysis Procedures Manual (APM)*. Both versions of the *APM* were most recently updated in December 2017. Current versions are consistently published online at: <http://www.oregon.gov/ODOT/TD/TP/Pages/APM.aspx>. As a result, we submit the following comments for the consideration of the City and Region 2 Planning:

Analysis items to note:

- Region Traffic assumes all land uses and densities offered under both the current and proposed zones are consistent with the City's code as cited in the report.
- This study does not contain a simulation-based queuing analysis. Such analysis would have been scoped if this study had been required under ODOT's authority.

Recommended analysis items to be addressed:

1. The study utilized the weighted average rate method of trip generation for one situation where the fitted curve equation method is instead recommended, per the *Institute of Transportation Engineers (ITE)*. The proposed trip generation for "Shopping Center" (ITE land use code 820) in Table 4 has used the weighted average rate method to generate 226 PM peak hour trips (113 entering, 113 exiting). However, per Section 4.4 of the current *ITE Trip Generation Handbook (3rd Edition, August 2014)*, the fitted curve equation method is recommended for the proposed size of this land use code. Therefore, the fitted curve equation method, which generates 255 PM peak hour trips (122 entering, 133 exiting), should instead be utilized.

2. This report has not provided the figures typical to traffic reports in order for the reader/reviewer to follow the traffic analysis volume development (i.e. future baseline, site generated and pass-by trips, total baseline+site trips, etc.). As a result, Region Traffic is unable to confirm accurate traffic volumes have been analyzed for all scenarios.

Proposed mitigation comments:

3. ODOT maintains jurisdiction of the Lower Columbia River Highway No. 92 (US 30) and ODOT approval shall be required for all proposed mitigation measures to this facility. Either proposed mitigation alternative would require modification of the existing rail crossing order and approval required under the authority of the State Traffic-Roadway Engineer with support from the City and Region Traffic.
 - o Alternative 1: Dual Westbound Left Turn Lanes – The analysis claims this mitigation will not lower the rezone v/c to below that of the baseline condition. Therefore, this should not be considered an appropriate mitigation measure. Restriping and removing the raised median island to include a second westbound left turn lane may create a turning path conflict with the existing dual eastbound left turn lanes. If it would, these two movements would need to be served via separate (i.e. split) signal phases which would likely further degrade overall intersection operations. This alternative could be difficult for Region Traffic to support.
 - o Alternative 2: Exclusive Westbound Right Turn Lane – The analysis claims this mitigation will lower the rezone v/c to below that of the baseline condition. Despite the narrative claiming otherwise, it appears restriping and removing the raised median island to install an exclusive westbound right turn lane would leave a restriped exclusive westbound through lane with approximately a full lane width shift crossing US 30, which is undesirable and could be difficult for Region Traffic to support.

Thank you for the opportunity to review this TPR analysis. As the analysis files were not provided, Region 2 Traffic has only reviewed the submitted report. If the City determines any of the above comments will merit the need for reanalysis, we would be willing and able to assist with an additional round of review. Additional work may be required to accompany approval requests for proposed mitigation measures (i.e. operational and queuing analysis, preliminary design layout, preliminary signal operations design, etc.). If there are any questions regarding these comments, please contact me at (503) 986-2857 or Keith.P.Blair@odot.state.or.us.



Oregon

Kate Brown, Governor

Department of Transportation

District 1/Area 1

350 West Marine Drive

Astoria, Oregon 97103

Phone: (503) 325-7222

Fax: (503) 325-1314

1/29/2018

TO: Laurie Oliver, City Planner Scappoose
FROM: Ken Shonkwiler, ODOT Transportation Planner
SUBJECT: Land Use Action Referral (CPA1-18/ZC1-18)

Thank you for the opportunity to comment on this Comprehensive Plan Amendment for the City of Scappoose.

The Oregon Department of Transportation (ODOT) routinely comments on planning proposals that may have an impact on state highways. If a plan amendment is involved, ODOT makes itself available to assist local governments in complying with the requirements of OAR 660-012-0060 (known as the Transportation Planning Rule). This requires that local governments amending adopted plans and regulations demonstrate that the amendment will not significantly affect existing or planned transportation facilities (both state and local), that such amendments are concurrent with local and state plans, or that amendments have met and satisfied the Transportation Planning Rule.

To assist the City in complying with this requirement, their consultant has prepared a Commercial Rezone Study for the property. We have reviewed the study and have the following comments:

- This study utilizes a method for peak-hour trip generation that ODOT would not recommend, and identified slightly fewer trips than what could be expected in a development scenario. Please see Keith Blair's attached comments for a more in-depth explanation.
- ODOT Region Planning and ODOT Region Traffic have reviewed both of the proposed mitigation measures identified in the analysis. We feel that the proposed mitigation measures would either be difficult to support, could not be feasible, and/or would not lower the rezone V/C ratio to below that of the baseline condition (Please see Keith Blair's comments). However, if the City wishes to continue to pursue one or both of the mitigation efforts, ODOT would be willing to review and work with the City on the proposal.

In order to comply with the Transportation Planning Rule, it was necessary to determine whether the proposal would have a significant effect on the surrounding transportation system. What is defined as a significant effect is outlined in the Oregon Highway Plan (OHP) Policy 1F.5. This is done to ensure that a plan amendment does not further increase the volume to capacity ratio or degrade the performance of a facility so that it does not meet the mobility targets in the future planning horizon. Under the current zoning (Public Park), the 2.57 acres generates 90 daily trips on average. The proposed zoning identified a net increase of 2,430 trips, thereby indicating a significant effect as defined in OHP Policy 1F.5.

Recommendation:

As a result, ODOT would like to condition a trip cap on the property so as to comply with OAR 660-012-0060. A trip cap of 1000 daily trips would suffice as mitigation. However, if there are engineering solutions that would help the City's proposal comply with OAR 660-012-0060, we are willing to work with the City to determine if those solutions are feasible. Since those solutions have not been identified, we feel that a trip cap is necessary.

For any questions, please contact Ken Shonkwiler; Senior Transportation Planner at ODOT Area 1.

Exhibit 6

Chris Negelspach, City Engineer

CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.
SCAPPOOSE, OREGON 97056
(503) 543-7184
FAX: (503) 543-5679

LAND USE ACTION REFERRAL (CPA1-18/ZC1-18)

January 4, 2018

RETURN TO: Laurie Oliver, City Planner, City of Scappoose, 33568 East Columbia Ave, Scappoose, OR, 97056 (FAX 503-543-5679) or loliver@cityofscappoose.org by January 18, 2018.

REGARDING: Application for a Comprehensive Plan Map Amendment and Zone Change for a 2.53 acre City owned parcel. The proposal would amend the Comprehensive Plan Map to re-designate the City owned parcel from Public Land (PL) to Commercial (C), and amend the zoning map from Public Lands Recreation (PL-R) to Expanded Commercial (EC).

- 1. We have reviewed the enclosed application and have no objection to its approval as submitted.
- 2. Please see either our comments (below) or attached letter.
- 3. We are considering the proposal further, and will have comments to you by _____.
- 4. Our board must meet to consider this; we will return their comments to you by _____.
- 5. Please contact our office so we may discuss this.
- 6. We recommend denial of the application. Please see either our comments (below) or attached letter:

COMMENTS:

THE SITE IS CONTIGUOUS TO EXISTING EC ZONED DEVELOPED PROPERTIES AND IS FULLY SERVED WITH SUFFICIENT ROADS & INFRASTRUCTURE TO DEVELOP WITH COMMERCIAL USES. I THEREFORE RECOMMEND & SUPPORT THE REZONE APPLICATION.

Signed: C. Negelspach

Title: CITY ENGINEER

Date: 1/18/2018

Laurie Oliver

From: Reah Flisakowski <rfl@dksassociates.com>
Sent: Tuesday, January 30, 2018 5:06 PM
To: Laurie Oliver
Subject: Scappoose Commercial Rezone

Laurie,

The 1,000 daily trip cap that ODOT is offering as a condition of approval for the rezone is a reasonable option that I recommend the City agree to. It would allow a moderate size development on the property with no off-site mitigations and give the city some flexibility for the future uses.

Based on current ITE trip generation rates (9th Edition), the following developments would be permitted under the trip cap:

Code 912 Drive-Thru Bank: 6,700 square-feet generates 993 daily trips

Code 932 Sit Down Restaurant: 7,800 square-feet generates 992 daily trips

Code 850 Grocery Store: 9,500 square-feet generates 971 daily trips

Code 826 Specialty Retail*: 22,000 square-feet generates 975 daily trips

* Small strip shopping center containing a variety of retail shops (apparel, hard goods, services such as real estate, art/dance studios, florists, and small restaurants)

ODOT does not support either of the mitigation alternatives we presented in our traffic analysis. It would take significant additional traffic analysis and conceptual design to convince them. The cost of either mitigation would be high and not worth the small improvement to traffic operations. If ODOT did support either mitigation, the City's required financial contribution could be expensive. This would allow the City to build beyond the 1,000 daily trip cap, however the cost would likely be much higher than the potential benefit.

Let me know if you have questions or need anything else.

Reah

Reah Flisakowski, PE
Senior Project Manager

Front Desk: 503.243.3500 | Direct: 503.972.1203 | Mobile: 503.473.3362

rfl@dksassociates.com



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