

## ORDINANCE NO. 871

### AN ORDINANCE APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE AND AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP

**WHEREAS**, the City of Scappoose is authorized by ORS 222.120 to annex contiguous territory upon receiving written consent from owners of land in the territory proposed to be annexed; and

**WHEREAS**, the City of Scappoose is the landowner of all properties proposed for annexation and has initiated the application for annexation, comprehensive plan map amendment and zone change of property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

**WHEREAS**, pursuant to ORS 222.120 notice was given and the City held public hearings pursuant to Scappoose Municipal Code Chapters 17.22, 17.136 and 17.162; 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 application to annex the property described in Exhibit A is hereby approved.

**Section 2.** The Scappoose Comprehensive Plan and Scappoose Zoning Map is hereby amended by re-designating Columbia County Tax Lot 3212-AA-01700 from Manufactured Home (MH) to Public Lands (PL) with a corresponding zone change to Public Lands Recreation; the portion of Columbia County Tax Lot 3107-00-01600 that is within the UGB from Suburban Residential (SR) to Public Lands (PL) with a corresponding zone change to Public Lands Recreation; and Columbia County Tax Lots 3107-BD-00100, 3107-00-00600 and 3107-00-00500 are hereby zoned Public Lands – Utility, as illustrated in Exhibits B & C, which are attached hereto and incorporated herein by reference;

**Section 3.** The Miller Road right-of-way included within this annexation, as described by the legal description attached as Exhibit A, is hereby zoned Low Density Residential (R-1), in conformance with its Suburban Residential plan designation.

**Section 4.** In support of the above annexation, comprehensive plan map amendment and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Planning Commission Staff Report dated February 1, 2018, attached as Exhibit D.


**Section 3.** The annexation approved by this Ordinance shall take effect 30 days after passage.

**Section 4.** Upon the effective date of this ordinance, the City Planner is directed to conform the City Comprehensive Plan & Zoning Map to the provisions of this ordinance.

**Section 5.** Upon the effective date of this Ordinance, the City Recorder is directed to provide all notices of annexation required under state law, including but not limited to providing notice to the Columbia County Clerk and Assessor, and the Secretary of State and the Department of Revenue.

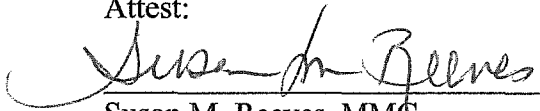
**PASSED AND ADOPTED** by the City Council this 26<sup>th</sup> day of March, 2018, and signed by the Mayor and City Recorder in authentication of its passage.

**CITY OF SCAPPOOSE, OREGON**

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

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

Attest:

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



AKS ENGINEERING & FORESTRY, LLC  
12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
P: (503) 563-6151 F: (503) 563-6152

AKS Job #6063

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

## EXHIBIT A

### Annexation Description

A tract of land, and a portion of right-of-way, located in the Northeast One-Quarter, Southeast One-Quarter, Southwest One-Quarter, and the Northwest One-Quarter of Section 7, and the Northeast One-Quarter of Section 12, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, and being more particularly described as follows:

Beginning at the most easterly corner of the plat "Heron Meadows", Book 5 Page 10, Columbia County Plat Records; thence along the northwesterly line of Book 156 Page 873, North  $48^{\circ}38'52''$  East 60.77 feet; thence continuing along said northwesterly line, North  $30^{\circ}10'52''$  East 103.25 feet; thence continuing along said northwesterly line, North  $05^{\circ}22'08''$  West 198.40 feet; thence continuing along said northwesterly line, North  $40^{\circ}20'52''$  East 164.36 feet to the southerly right-of-way line of Old Portland & Southwestern Rail Road per deed Volume 45 Page 50 (25.00 feet from centerline); thence along said southerly right-of-way line along a non-tangent curve to the left with a Radius of 2864.79 feet, a Delta of  $12^{\circ}02'00''$ , a Length of 601.67 feet, and a Chord of North  $61^{\circ}29'23''$  West 600.57 feet; thence continuing along said southerly right-of-way line, North  $67^{\circ}30'23''$  West 373.29 feet to the easterly right-of-way line of SE Miller Road (20.00 feet from centerline); thence leaving said southerly right-of-way line along said easterly right-of-way line, South  $21^{\circ}36'59''$  West 489.59 feet to the southwest corner of Document Number 2004-013497 and the City of Scappoose city limits line; thence leaving said easterly right-of-way line along said city limits line, North  $62^{\circ}42'19''$  West 40.20 feet to the southeasterly corner of Document Number 1992-004859, also being on the westerly right-of-way line of NE Miller Road (20.00 feet from centerline); thence leaving said city limits line along said westerly right-of-way line, North  $21^{\circ}36'59''$  East 212.48 feet to the easterly extension of the southerly line of Document Number 2006-011390; thence leaving said westerly right-of-way line along said easterly extension and the southerly line of said deed, North  $61^{\circ}37'54''$  West 405.76 feet; thence continuing along said southerly line, North  $62^{\circ}36'14''$  West 145.71 feet to the westerly line of said deed; thence along said westerly line, North  $24^{\circ}35'25''$  East 219.88 feet to the southerly right-of-way line of said Old Portland & Southwestern Rail Road (25.00 feet from centerline); thence along said southerly right-of-way line, North  $67^{\circ}30'23''$  West 1623.25 feet to the easterly line of deed Volume 6 Page 449; thence continuing along said southerly right-of-way line of Old Portland & Southwestern Rail Road per deed Volume 6 Page 449 (25.00 feet from centerline), North  $67^{\circ}30'23''$  West 363.48 feet to the northeasterly corner of the plat "Westview Subdivision", Book 6 Page 18, Columbia County Plat Records, and the City of Scappoose city limits line; thence continuing along said southerly right-of-way line and said city limits line, North  $67^{\circ}30'23''$  West 395.71 feet to the northwesterly corner of Document Number F9914706; thence leaving said southerly right-of-way line along said city limits line, North  $22^{\circ}29'37''$  East 50.00 feet to the northerly right-of-way line of said Old Portland & Southwestern Rail Road per Volume 6 Page 449 (25.00 feet from centerline); thence along said northerly right-of-way line and said city limits line, South  $67^{\circ}30'23''$  East 420.06 feet to the southeasterly corner of Document Number 2011-003683; thence along the easterly line of said deed and said city limits line, North  $07^{\circ}45'29''$  East 51.70 feet to said northerly right-of-way line (75.00 feet from

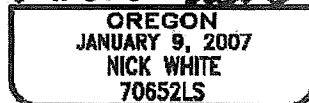
centerline); thence along said northerly right-of-way line and said city limits line, South 67°30'23" East 315.84 feet to the westerly line of deed Volume 45 Page 50; thence continuing along said northerly right-of-way of Old Portland & Southwestern Rail Road per said deed (75.00 feet from centerline), South 67°30'23" East 2609.55 feet; thence continuing along said northerly right-of-way line and said city limits line along a curve to the right with a Radius of 2964.79 feet, a Delta of 14°55'24", a Length of 772.22 feet, and a Chord of South 60°02'41" East 770.04 feet to the south line of Timothy Lamberson Donation Land Claim (DLC) No. 39; thence along said south DLC line and said city limits line, North 67°30'23" West 225.95 feet to said northerly right-of-way line (25.00 feet from centerline); thence along said northerly right-of-way line and said city limits line along a non-tangent curve to the right with a Radius of 2914.79 feet, a Delta of 08°45'20", a Length of 445.42 feet, and a Chord of South 52°30'03" East 444.99 feet; thence continuing along said northerly right-of-way line and said city limits line, South 48°07'23" East 1457.06 feet to the northeasterly extension of the southeasterly line of Book 156 Page 873; thence leaving said northerly right-of-way line along said northeasterly extension and the southeasterly line of said deed and said city limits line, South 57°50'52" West 581.46 feet; thence continuing along said southeasterly line and said city limits line, South 55°42'52" West 949.53 feet to the northerly right-of-way line of Honeyman Road (30.00 feet from centerline); thence along said northerly right-of-way line and said city limits line, North 53°08'08" West 721.39 feet to the southwesterly corner of Book 175 Page 449; thence continuing along said northerly right-of-way line and said city limits line along a curve to the left with a Radius of 1940.05 feet, a Delta of 09°23'58", a Length of 318.27 feet, and a Chord of North 57°50'07" West 317.91 feet; thence continuing along said northerly right-of-way line and said city limits line, North 62°32'08" West 23.07 feet to the easterly line of Document Number 2009-006024; thence leaving said northerly right-of-way line along said easterly line and the easterly line of the plat "Heron Meadows", Book 5 Page 10, Columbia County Plat Records, and said city limits line, North 06°44'52" East 378.12 feet; thence along the easterly line of said plat and said city limit line, North 50°09'52" East 212.31 feet; thence continuing along said easterly line and said city limit line, South 89°12'08" East 115.80 feet; thence continuing along said easterly line and said city limit line, North 16°05'52" East 219.40 feet; thence continuing along said easterly line and said city limit line, North 01°29'52" East 186.00 feet; thence continuing along said easterly line and said city limit line, North 77°42'52" East 166.20 feet to the Point of Beginning.

The above described tract of land contains 63.62 acres, more or less.

1/16/2018



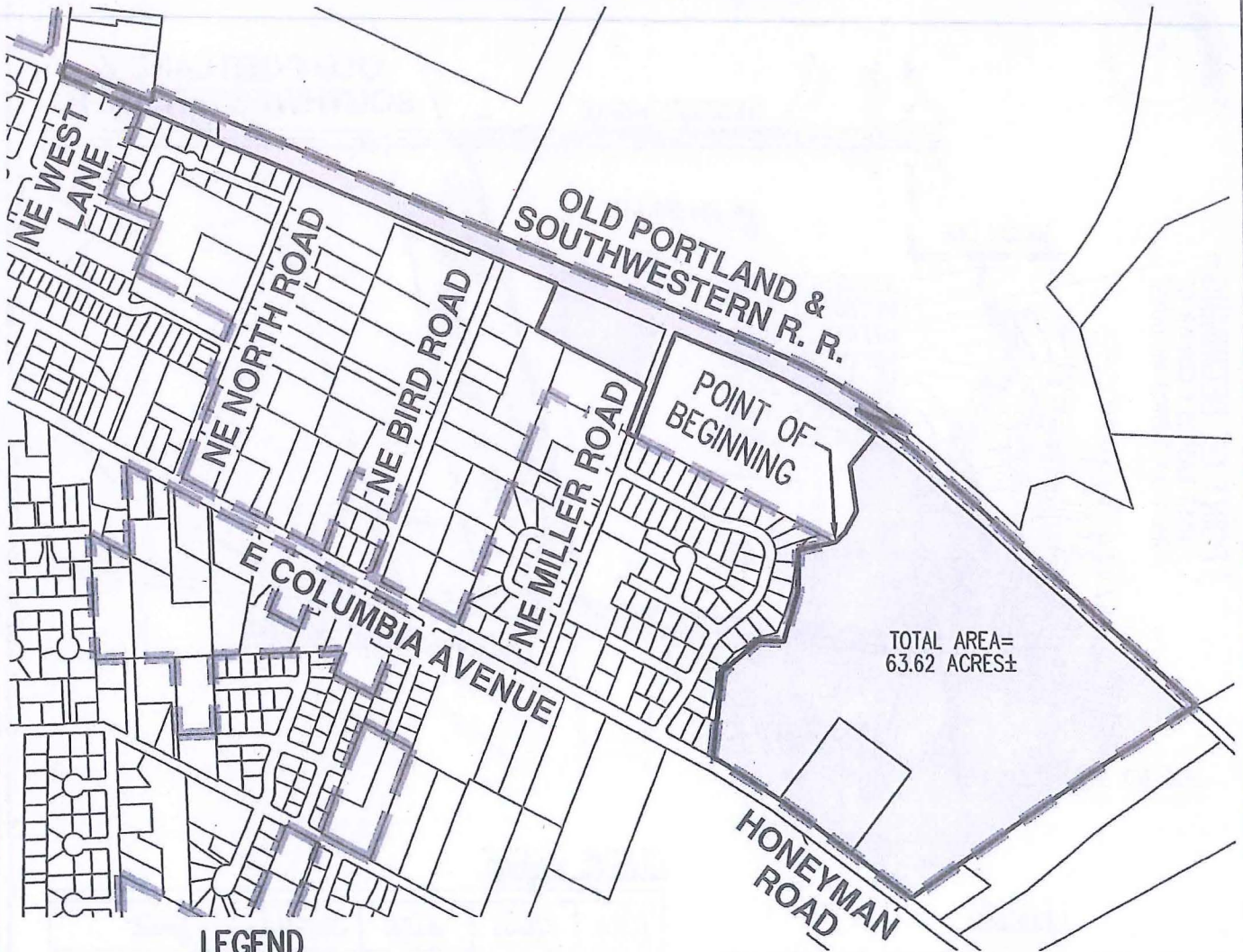
*Nick White*



RENEWS: 6/30/18

# EXHIBIT A

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4, SOUTHEAST 1/4,  
SOUTHWEST 1/4, AND THE NORTHWEST 1/4 OF SECTION 7,  
AND THE NORTHEAST 1/4 OF SECTION 12,  
TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
COLUMBIA COUNTY, OREGON



### LEGEND

- CITY OF SCAPPOOSE CITY LIMITS LINE
- ANX 1-18 ANNEXATION BOUNDARY LINE

1/16/2018

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Nick White*

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS

RENEWS: 6/30/18

### PREPARED FOR

CITY OF SCAPPOOSE  
33568 E COLUMBIA AVENUE  
SCAPPOOSE, OR 97056



NOT TO SCALE

### SCAPPOOSE ANNEXATIONS

AKS ENGINEERING & FORESTRY, LLC  
12965 SW HERMAN RD, STE 100  
TUALATIN, OR 97062  
P: 503.563.6151 F: 503.563.6152 aks-eng.com



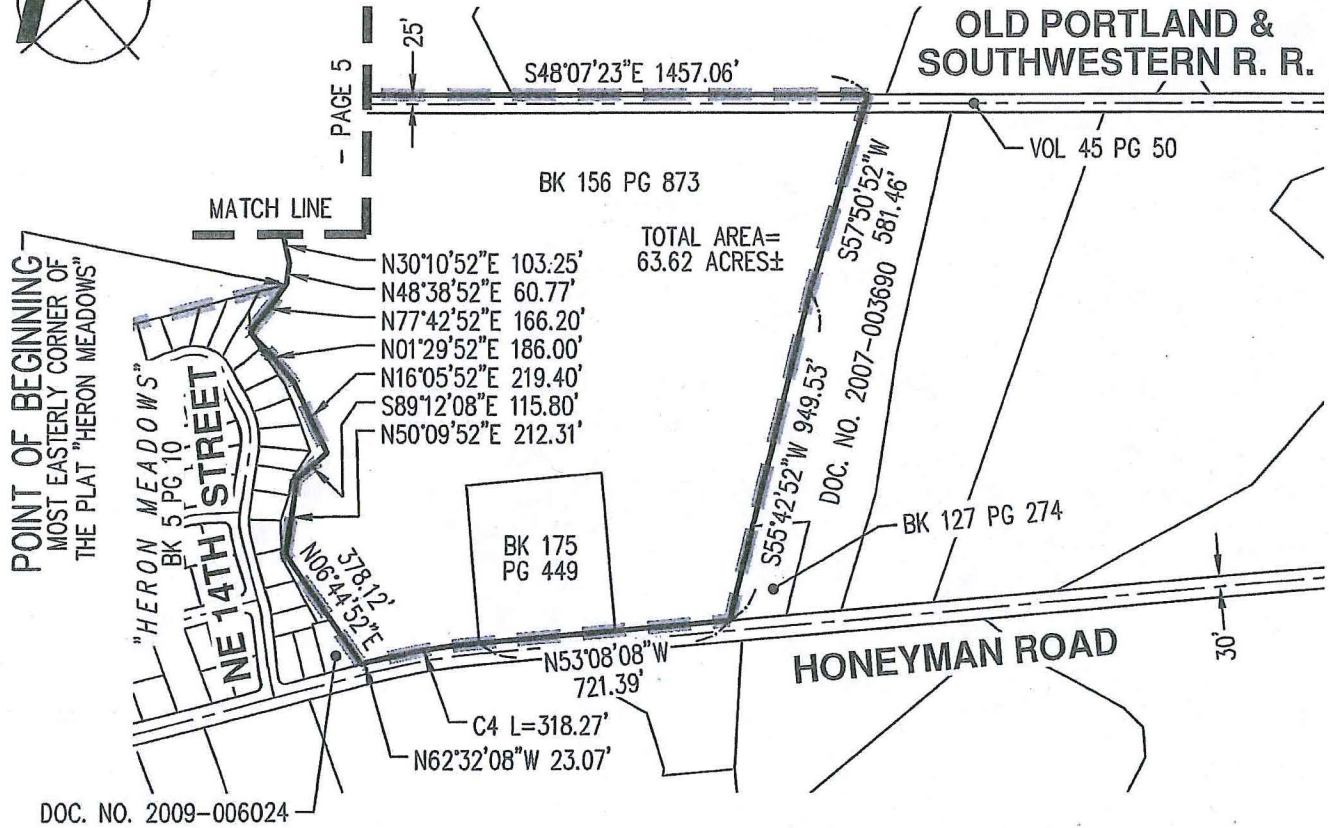
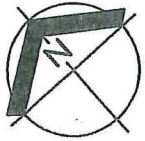
EXHIBIT  
A

DRWN: WCB  
CHKD: NSW

AKS JOB:  
6063

# EXHIBIT A

A TRACT OF LAND, AND A PORTION OF RIGHT-OF-WAY, LOCATED IN THE  
 NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4, AND THE  
 NORTHWEST 1/4 OF SECTION 7, AND THE NORTHEAST 1/4 OF SECTION 12,  
 TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
 COLUMBIA COUNTY, OREGON



## CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C4	1940.05'	09°23'58"	318.27'	N57°50'07"W 317.91'

## LEGEND

- CITY OF SCAPPOOSE CITY LIMITS LINE
- ANX 1-18 ANNEXATION BOUNDARY LINE

1/16/2018

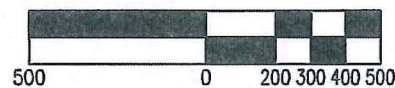
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Nick White*  
 OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS  
 RENEWS: 6/30/18

## PREPARED FOR

CITY OF SCAPPOOSE  
 33568 E COLUMBIA AVENUE  
 SCAPPOOSE, OR 97056

SCALE: 1" = 500 FEET



SCAPPOOSE ANNEXATIONS		EXHIBIT <b>A</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: WCB CHKD: NSW AKS JOB: 6063

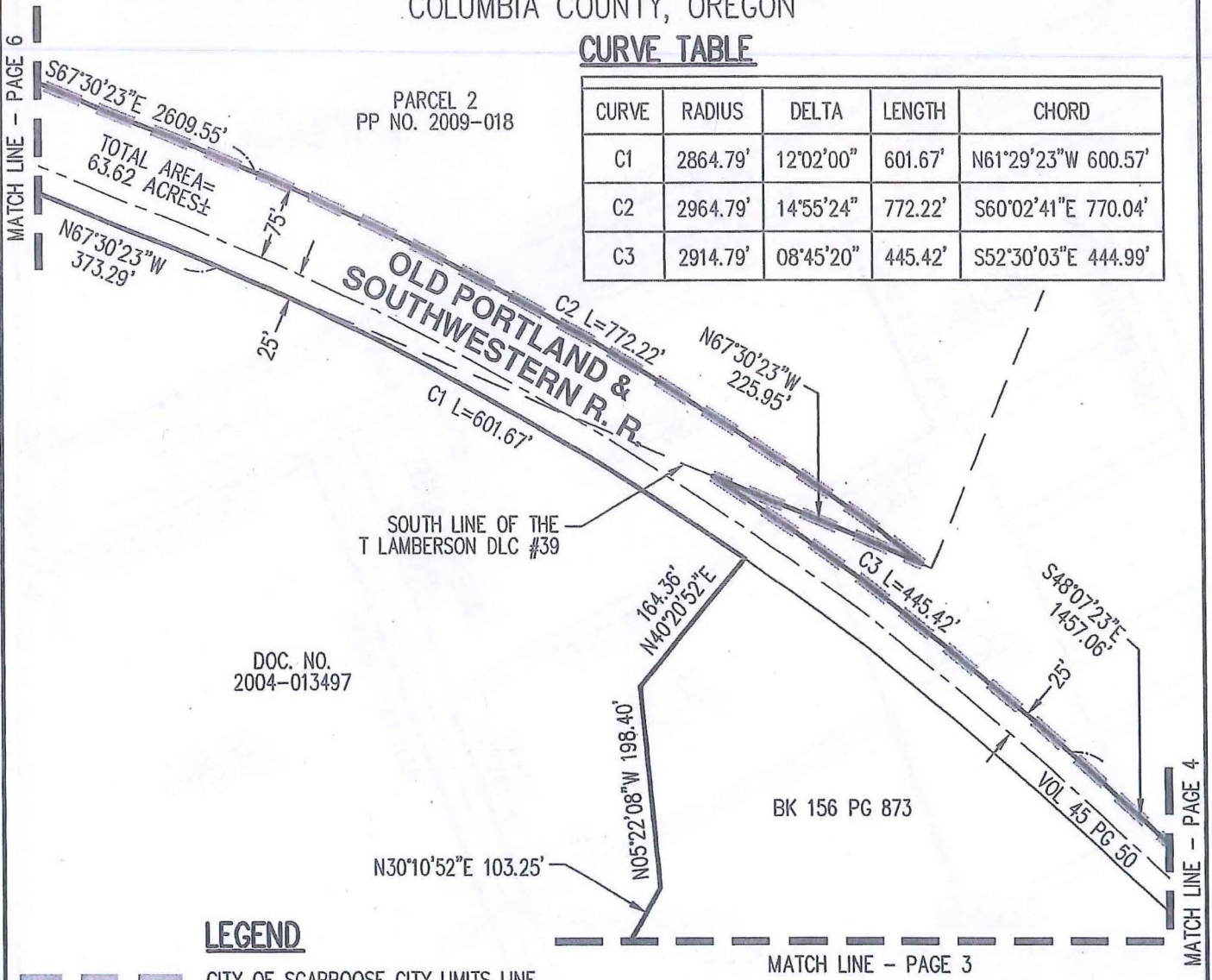


# EXHIBIT A

A TRACT OF LAND, AND A PORTION OF RIGHT-OF-WAY, LOCATED IN THE  
 NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4, AND THE  
 NORTHWEST 1/4 OF SECTION 7, AND THE NORTHEAST 1/4 OF SECTION 12,  
 TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
 COLUMBIA COUNTY, OREGON

## CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	2864.79'	12°02'00"	601.67'	N61°29'23"W 600.57'
C2	2964.79'	14°55'24"	772.22'	S60°02'41"E 770.04'
C3	2914.79'	08°45'20"	445.42'	S52°30'03"E 444.99'



### LEGEND

- CITY OF SCAPPOOSE CITY LIMITS LINE
- ANX 1-18 ANNEXATION BOUNDARY LINE

1/16/2018

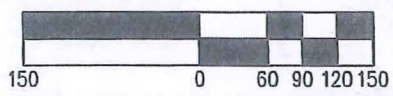
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Nick White*  
OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS  
RENEWS: 6/30/18

### PREPARED FOR

CITY OF SCAPPOOSE  
33568 E COLUMBIA AVENUE  
SCAPPOOSE, OR 97056

SCALE: 1" = 150 FEET



SCAPPOOSE ANNEXATIONS		EXHIBIT <b>A</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: WCB CHKD: NSW AKS JOB: 6063

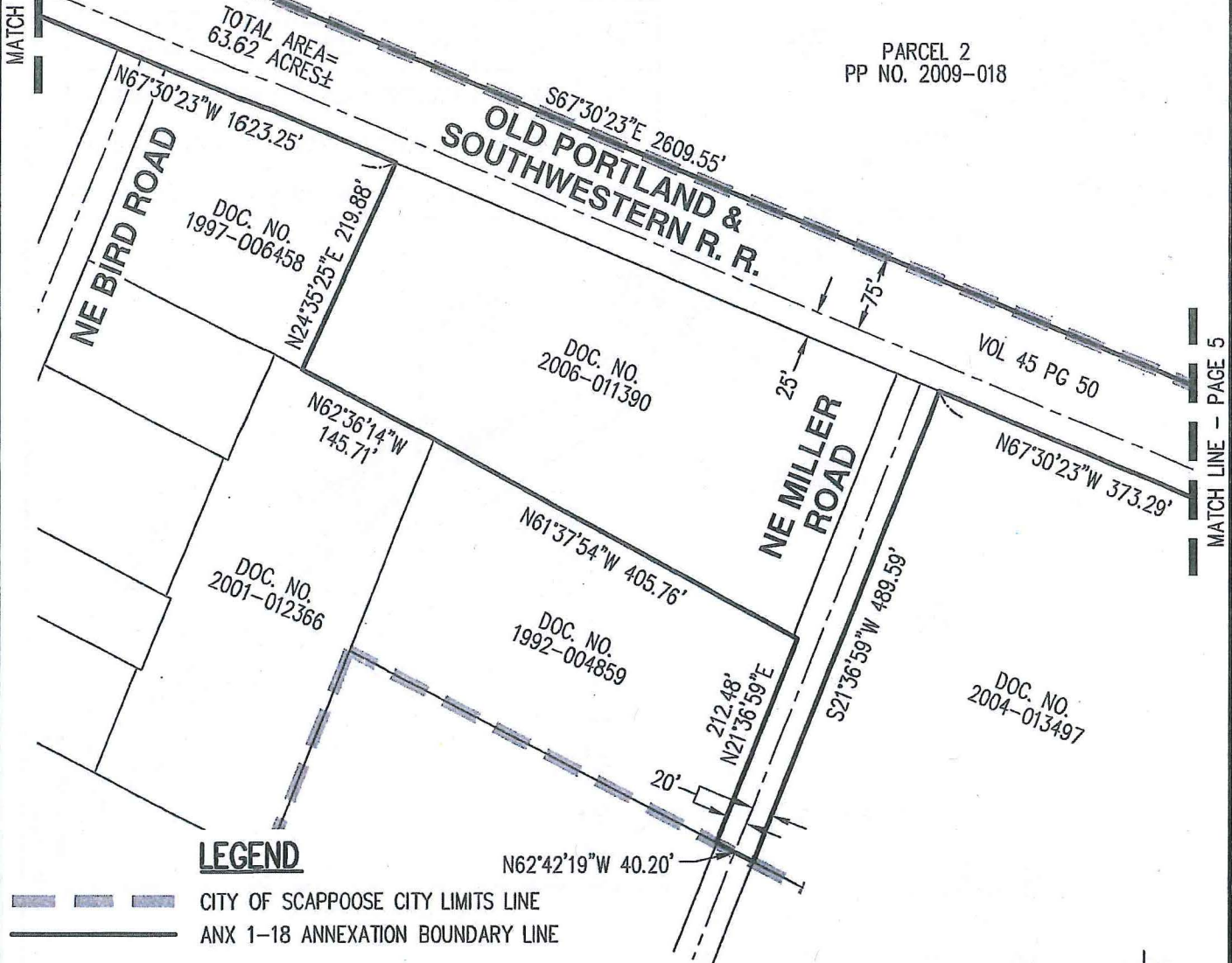


# EXHIBIT A

A TRACT OF LAND, AND A PORTION OF RIGHT-OF-WAY, LOCATED IN THE  
 NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4, AND THE  
 NORTHWEST 1/4 OF SECTION 7, AND THE NORTHEAST 1/4 OF SECTION 12,  
 TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
 COLUMBIA COUNTY, OREGON

MATCH LINE - PAGE 7

PARCEL 2  
 PP NO. 2009-018



MATCH LINE - PAGE 5

1/16/2018

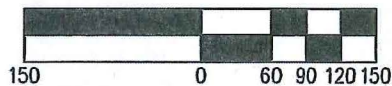
REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Nick White*  
 OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS  
 RENEWS: 6/30/18

## PREPARED FOR

CITY OF SCAPPOOSE  
 33568 E COLUMBIA AVENUE  
 SCAPPOOSE, OR 97056

SCALE: 1" = 150 FEET



SCAPPOOSE ANNEXATIONS		EXHIBIT <b>A</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: WCB CHKD: NSW AKS JOB: 6063

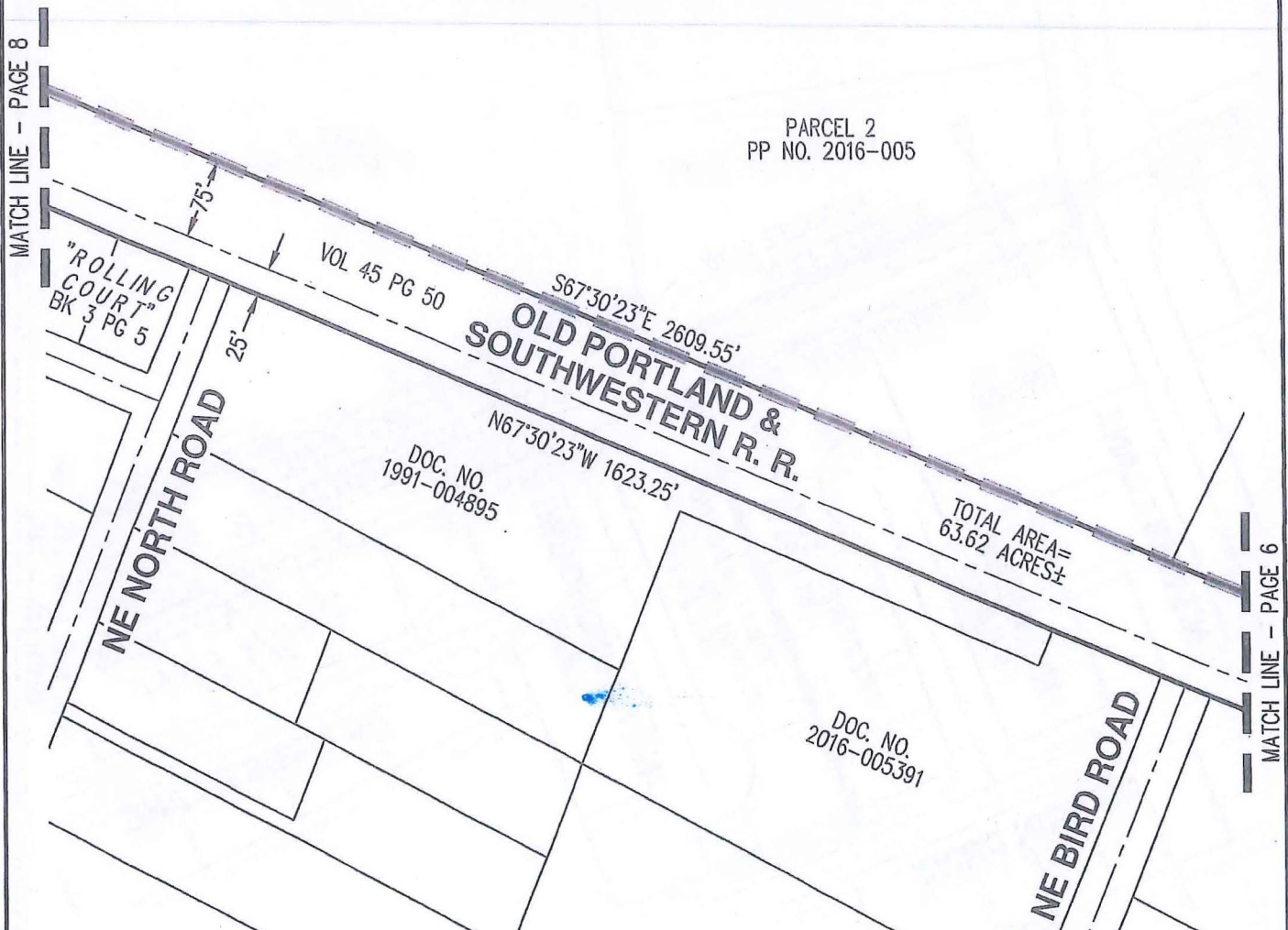




# EXHIBIT A

A TRACT OF LAND, AND A PORTION OF RIGHT-OF-WAY, LOCATED IN THE NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4, AND THE NORTHWEST 1/4 OF SECTION 7, AND THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON

PARCEL 2  
PP NO. 2016-005



### LEGEND

- CITY OF SCAPPOOSE CITY LIMITS LINE
- ANX 1-18 ANNEXATION BOUNDARY LINE

1/16/2018

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

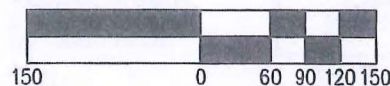
OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS

RENEWS: 6/30/18

### PREPARED FOR

CITY OF SCAPPOOSE  
3356B E COLUMBIA AVENUE  
SCAPPOOSE, OR 97056

SCALE: 1" = 150 FEET



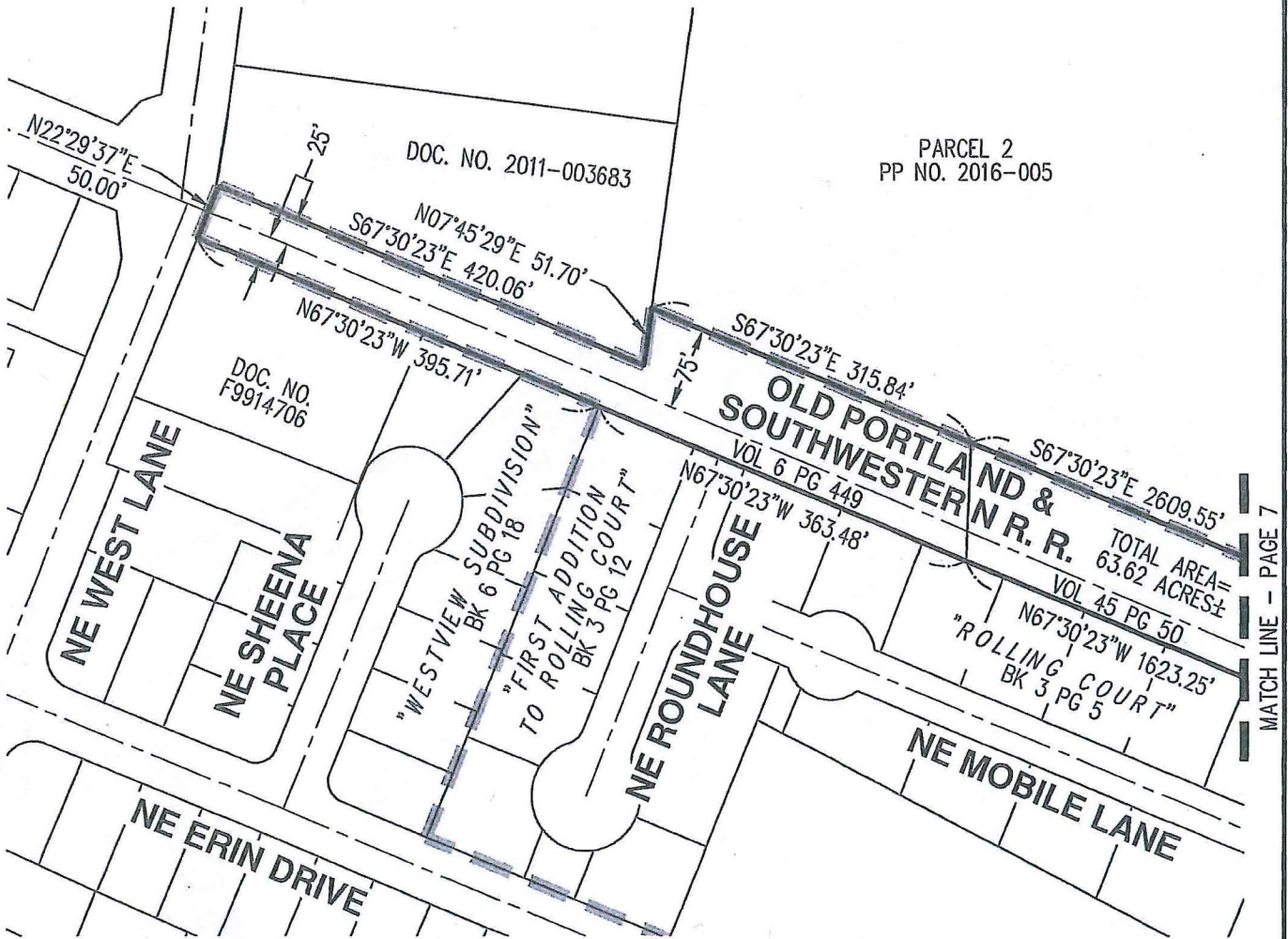
SCAPPOOSE ANNEXATIONS		EXHIBIT <b>A</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: WCB CHKD: NSW AKS JOB: 6063



# EXHIBIT A

A TRACT OF LAND, AND A PORTION OF RIGHT-OF-WAY, LOCATED IN THE  
 NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4, AND THE  
 NORTHWEST 1/4 OF SECTION 7, AND THE NORTHEAST 1/4 OF SECTION 12,  
 TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
 COLUMBIA COUNTY, OREGON

PARCEL 2  
 PP NO. 2016-005



### LEGEND

- CITY OF SCAPPOOSE CITY LIMITS LINE
- ANX 1-18 ANNEXATION BOUNDARY LINE

1/16/2018

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Nick White*

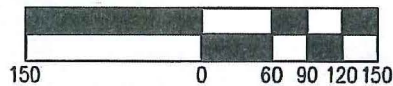
OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS

RENEWS: 6/30/18

### PREPARED FOR

CITY OF SCAPPOOSE  
 33568 E COLUMBIA AVENUE  
 SCAPPOOSE, OR 97056

SCALE: 1" = 150 FEET



SCAPPOOSE ANNEXATIONS		EXHIBIT <b>A</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: WCB CHKD: NSW AKS JOB: 6063

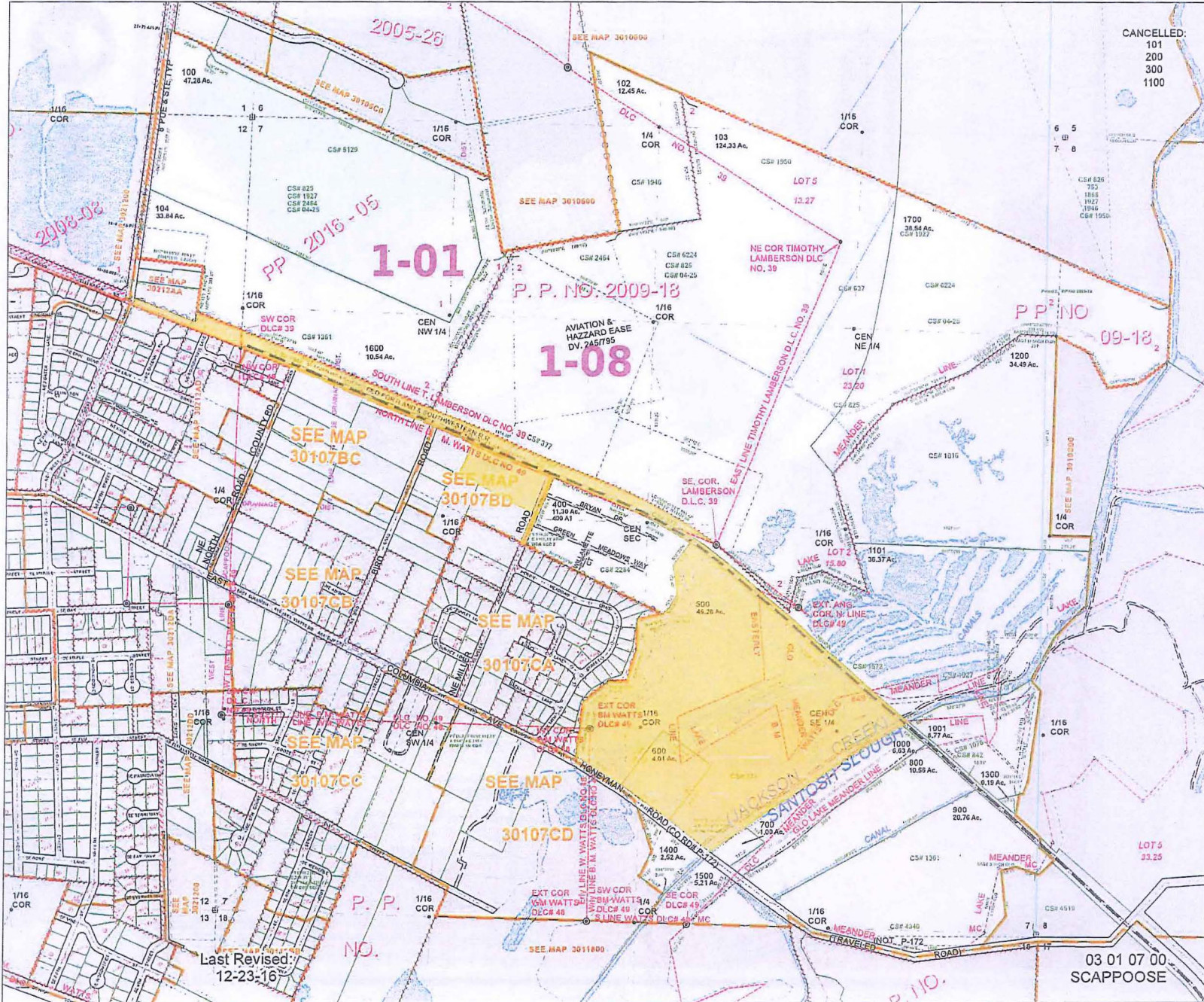


THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

0 100 200 400 Feet

SECTION 7 T.3N. R.1W. W.M.  
COLUMBIA COUNTY  
1" = 400'

03 01 07 00  
SCAPOOSE



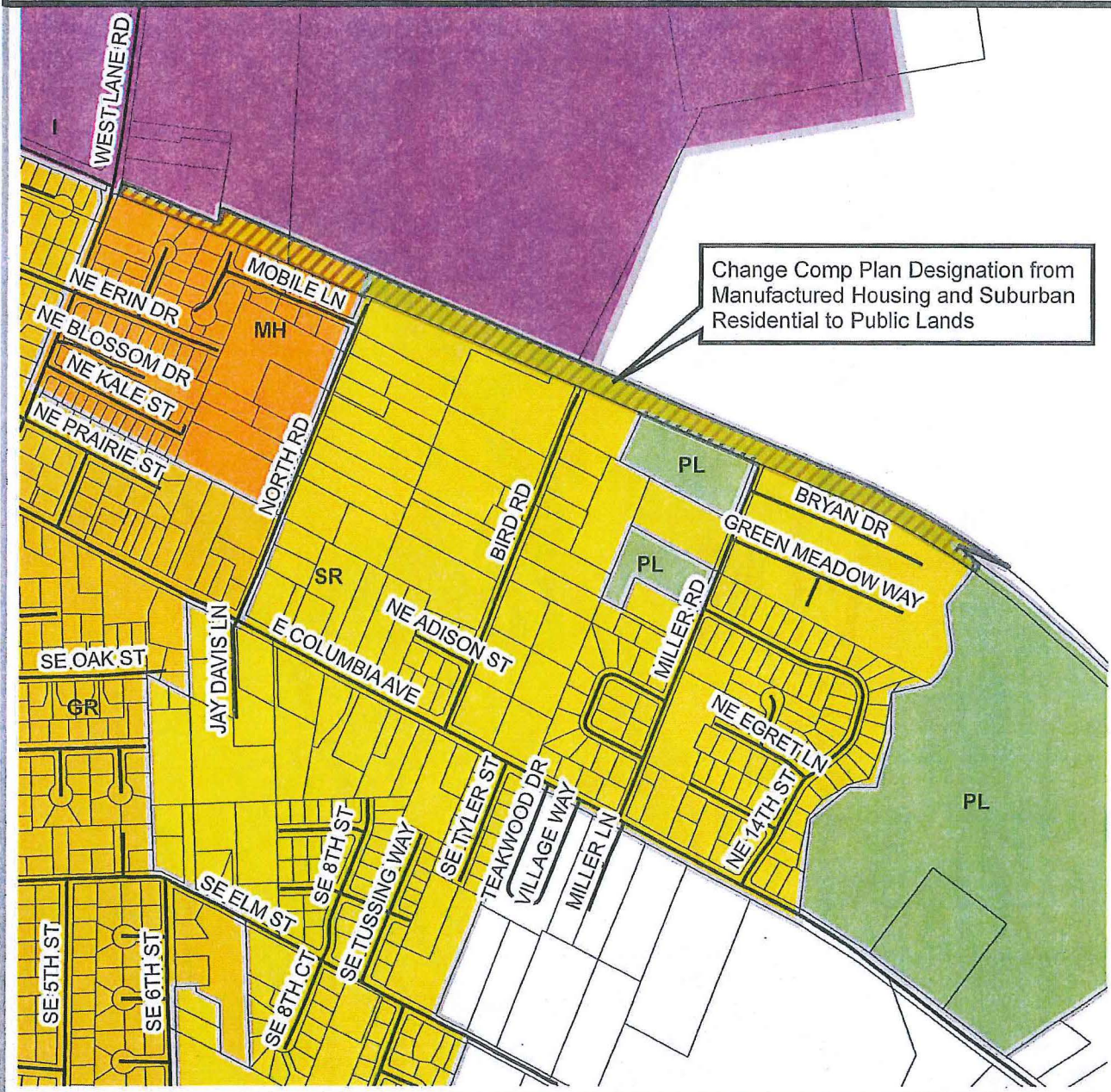
CANCELLED:  
101  
200  
300  
1100

Last Revised:  
12-23-16

03 01 07 00  
SCAPOOSE

# Comp Plan Map Amendment CPA 2-18

Columbia County Assessor Map No: 3212-AA-01700 and a portion of 3107-00-01600



Change Comp Plan Designation from Manufactured Housing and Suburban Residential to Public Lands



Scappoose GIS

### Legend

- Streets
- Taxlots Boundary

### Comp Plan Designation

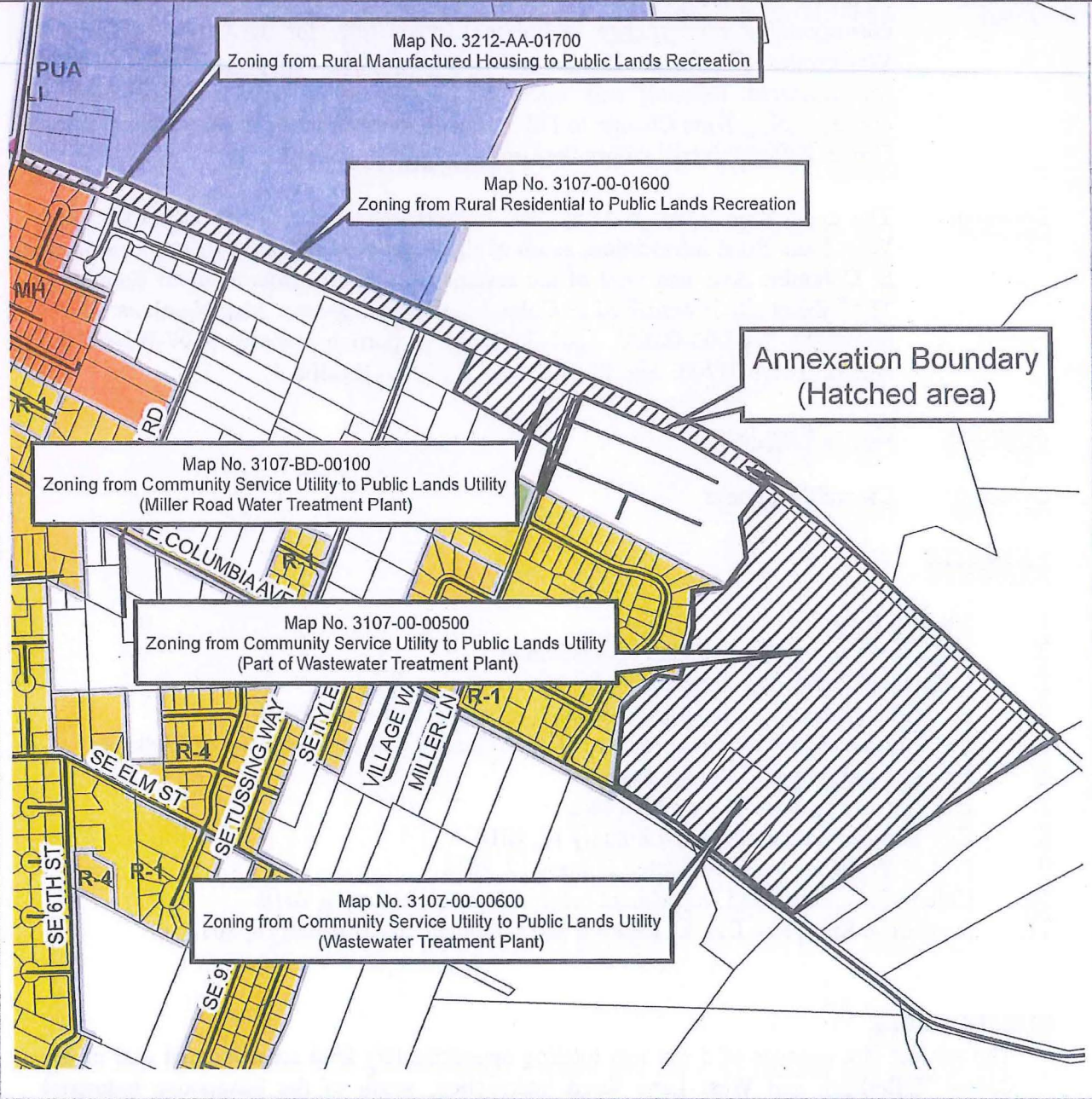
- Comp Plan Amendment
- GR
- SR
- C
- MH
- I
- PL



Exhibit C

# Zoning Map for Annexation (ANX1-18), Comp Plan Map Amendment (CPA2-18) and Zone Change (ZC2-18) of City Owned Parcels

Columbia County Assessor Map No:3107-00-00500, 3107-00-00600, 3107-00-01600 (a portion thereof), 3107-BD-00100, and 3212-AA-01700.



- Legend**
- Streets
  - Taxlots Boundary



ANX1-18/CPA2-18/ZC2-18

February 1, 2018

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

**CITY OF SCAPPOOSE STAFF REPORT**

**Request:** Approval of an application for annexation of approximately 63.6 acres and a corresponding zone change to Public Lands Utility for the City's Water and Wastewater Treatment Plants and a Comp Plan Map amendment from Manufactured Housing and Suburban Residential to Public Lands with a corresponding Zone Change to Public Lands Recreation for those portions of the Crown Zellerbach trail within the Urban Growth Boundary.

**Location:** The application involves 5 tax lots, located east of the Crown Zellerbach and West Lane Road intersection, south of the Scappoose Industrial Airport, north of E. Columbia Ave, and west of the eastern edge of the Urban Growth Boundary. The subject site is described as Columbia County Assessor Map Numbers: 3107-00-00500, 3107-00-00600, 3107-00-01600 (a portion thereof), 3107-BD-00100, and 3212-AA-01700. See attached Vicinity Map (**Exhibit 1**).

**Applicant:** City of Scappoose

**Owner(s):** City of Scappoose

**EXHIBITS**

1. Vicinity Map
2. Legal description of annexation area and map
3. Columbia County Tax Assessor's Map of Annexation Area
4. Flood Insurance Rate Map 41009C0463D, dated November 26, 2010
5. Local Wetland Inventory map, Figure 4C & Columbia County Web Map of Wetlands
6. Existing and proposed Zoning Map
7. Existing and proposed Comp Plan Map
8. City Engineer comment, dated January 18, 2018
9. Port of St Helens comment, dated January 17, 2018
10. Columbia County Road Department comment, dated January 5, 2018
11. Scappoose Rural Fire District Referral and Comment, dated January 4, 2018

**SUBJECT SITE**

- The subject site consists of 5 tax lots totaling approximately 63.6 acres located east of the Crown Zellerbach and West Lane Road intersection, south of the Scappoose Industrial Airport, north of E. Columbia Ave, and west of the eastern edge of the Urban Growth Boundary. The land proposed for annexation is within the City's Urban Growth Boundary. See **Exhibit 1**, Vicinity Map.

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

- The western boundary of the annexation area abuts the Crown Zellerbach and West Lane Road intersection, while the northern boundary runs the length of the City owned parcel containing the Crown Zellerbach trail. The southern boundary in the area of Miller Road follows the southern boundary of the Miller Road Water Treatment Plant tax lot and a portion of the Miller Road right-of-way. The southern boundary of the annexation area at the eastern edge of the annexation area is the City's Wastewater Treatment Plant's southern property boundary. The eastern edge of the annexation boundary is the eastern edge of the Urban Growth Boundary.
- The City's Water and Wastewater Treatment Plants are designated as Public Lands on the Comp Plan Map and would automatically receive Public Lands Utility (PL-U) zoning upon annexation. The Crown Zellerbach trail parcel is currently designated as Manufactured Housing for the western portion of the parcel and Suburban Residential for the eastern portion. The City is proposing to amend the Comp Plan designation for the entire parcel to Public Lands, with a corresponding Zone Change to Public Lands Recreation (PL-R). See **Exhibits 6 & 7**.
- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.
- According to the Flood Insurance Rate Map (FIRM) 41009C0463D a portion of the property lies within the 100-year floodplain. See **Exhibit 4**. Future development within the mapped floodplain would require a Sensitive Lands Development Permit.
- The Scappoose Local Wetlands Inventory Map as well as the Columbia County Wetlands Map identifies multiple wetlands on the Wastewater Treatment Plant site (see **Exhibit 5**). All current development on this site is outside of the wetland boundaries. Future development that would affect a mapped wetland or wetland buffer would be required to apply for a Sensitive Lands – Wetlands Development Permit meeting the requirements of the Scappoose Development Code.

**OBSERVATIONS**

CONCURRENT ANNEXATION, COMP PLAN MAP AMENDMENT AND ZONE CHANGE APPLICATIONS

- The City of Scappoose has requested to annex the City's Water and Wastewater Treatment Plants which are designated as Public Lands on the Comp Plan Map and would automatically receive Public Lands Utility (PL-U) zoning upon annexation. The City also requests to annex the Crown Zellerbach trail property which is currently designated as Manufactured Housing for the western portion of the parcel and Suburban Residential for the eastern portion. The City is proposing to amend the Comp Plan designation for the entire parcel to Public Lands, with a corresponding Zone Change to Public Lands Recreation (PL-R). See **Exhibits 6 & 7**.

CURRENT USES

- The City's Water Treatment Plant (Columbia Co. Map # 3107-BD-00100) is located west of the northern terminus of Miller Road. This site currently contains the treatment plant, several outbuildings, and a stormwater pond.
- The City's Wastewater Treatment Plant (Columbia Co. Map # 3107-00-00600) is located at the eastern boundary of the Urban Growth Boundary and fronts on E Columbia Avenue. This site currently contains the City's Public Works building and shops, and much of the Wastewater Departments process facilities; offices/lab, headworks, secondary clarifiers, effluent filters, disinfection, effluent pump station, aerobic digesters, biosolids storage ponds, screw press and the Wastewater shop. The remainder of the Wastewater property (Columbia Co. Map # 3107-00-00500) contains the Wastewater aeration basin, biosolids storage facility, and the certified fields used for biosolids land application.
- The City owned linear parcel (Columbia Co. Map # 3107-00-01600 (a portion thereof) and 3212-AA-01700), which abuts the Crown Zellerbach and West Lane Road intersection and runs east until just before its intersection with E Columbia Ave., contains the Crown Zellerbach trail. This parcel was previously used as a private logging road prior to the City's purchase of the property in 2002. Only the portion of these tax lots within the Urban Growth Boundary is proposed for annexation (See Exhibits 6 & 7). The trail property contains an asphalt paved path, with vegetation on both sides of the trail.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- As depicted within the 2016 Transportation System Plan<sup>1</sup> (TSP), a portion of the Crown Zellerbach trail parcel is proposed to be improved as the eastern extension of the existing Crown Zellerbach Road, as project I3 and D1. The Columbia Airpark East Preliminary Subdivision Plat (SB1-17/SLDP1-17), which was approved by the Planning Commission in October 2017, requires that the applicant construct the new collector road from the Crown Zellerbach and West Lane Road intersection east to the subdivisions boundary, then north to its eventual connection with Moore Road. The new collector road would utilize a portion of the trail property at the intersection, then the new road would be north of and separated from the existing paved trail.
- As required by Scappoose Development Code (SDC) 17.22.050, proposals to amend the Comp Plan Map or Zoning Map must be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 – Transportation Planning Rule (TPR).
- Under OAR 660-012-0060(9) a local government may find that an amendment does not significantly affect an existing or planned transportation facility if (1) the proposed zoning is consistent with the underlying comprehensive plan designation, (2) the local government has an acknowledged TSP and the proposed zoning is consistent with the TSP, and (3) the area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP

---

<sup>1</sup> The adopted 2016 TSP can be found online at <http://www.ci.scappoose.or.us/planning/page/2016-scappoose-transportation-system-master-plan-vol-1>.



*City Property Annexation/Comp Plan Map Amendment/Zone Change*

amendment that accounted for urbanization of the area. Since the proposed zone change for the City's Water and Wastewater Treatment Plants meets conditions 1 – 3 under OAR 660-012-0060(9), the City can find that the proposed zone change for those parcels does not significantly affect a transportation facility.

- The City is proposing a Comp Plan Map amendment to re-designate the trail property from Manufactured Housing and Suburban Residential to Public Lands, which does not meet conditions 1 & 2 above. However, since the TSP took this property into account as if it were to develop with residential densities allowed under the Low Density Residential and Manufactured Housing zoning districts and park uses have lower traffic generation than residential uses, this is considered down zoning and would not significantly affect an existing or planned transportation facility.
- ODOT has no concerns and chose not to submit comments on this proposal since the zoning is either consistent with the Comp Plan designation, or in the case of the linear trail property, is being down zoned which would allow uses with fewer transportation impacts than its current Comp Plan designation allows.
- Future development proposals within the annexation area may require half-street improvements as minimum conditions of development proposals, to be installed and funded by the City.

UTILITIES

- While property outside of City limits is generally not served by City utilities, due to the unique nature of the uses currently on the parcels to be annexed (the Water and Wastewater Treatment Plants), water service, on site storm drainage, and sanitary sewer service are already servicing the sites to be annexed.
- The site is within the Scappoose Drainage Improvement District.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Public Works Director, Engineering, Building, and Police Departments; Columbia County Road and Planning Departments; Scappoose Rural Fire Protection District; the Oregon Department of Transportation; and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report, as applicable.
- 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 23<sup>rd</sup> and published in the local newspaper on January 19<sup>th</sup> & 26<sup>th</sup>, 2018.

- No written comments were received from the public as of February 1, 2018.

APPLICABILITY OF STATEWIDE PLANNING GOALS

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

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

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

A. *Citizen Involvement (Goal 1)*

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

**Finding:** The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning and comp plan map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission will review and comment on the proposed annexation, comp plan map amendment and zoning map amendment on February 8, 2018 to make a recommendation to the City Council. The City Council will hold a hearing on February 20, 2018. The Applicant is required to post site notices, the City mails notices to nearby property owners, and notice is published in the newspaper. This process complies with Goal 1.

B. *Land Use Planning (Goal 2)*

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

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

C. *Agricultural Lands (Goal 3)*

**Objective:** *To preserve and maintain agricultural lands.*

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

**Finding:** This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site.

*D. Forest Lands (Goal 4)*

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

**Finding:** This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site.

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

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

**Finding:** The subject site is not designated as open space, a scenic, or historic area by the City of Scappoose and does not contain any known significant open space, scenic, or historic areas. The subject site contains floodplain and multiple wetlands, as shown on the FIRM map (**Exhibit 4**), Columbia County Wetlands Map and the City's Local Wetlands Inventory Map (**Exhibit 5**). Any proposed development on this site will be evaluated for compliance with the Development Code prior to allowing development to occur. The Development Code has been implemented in order to limit impacts to natural resources and to provide protection for inventoried Goal 5 resources. Therefore, the proposed annexation, comp plan map amendment, and zone change do not conflict with this Goal.

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

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

**Finding:** The site is currently used as a recreational trail, a Water Treatment Plant and a Wastewater Treatment Plant. If the annexation is approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation, comp plan map amendment, and zone change proposal will therefore have no significant impact with respect to this Goal.

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

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

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

**Finding:** The subject site is not located within a potential landslide hazard or earthquake hazard area. A portion of the property is within the 100-year floodplain (see **Exhibit 4**). Any development proposal will be required to document compliance with the applicable City, State and Federal requirements for development within areas affected by the floodplain. The proposal to zone the subject property for recreational and public utility uses is consistent with avoidance of natural disasters and hazards under Goal 7.

*H. Recreational Needs (Goal 8)*

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

**Finding:** A portion of the annexation area is presently used for recreational purposes as the Crown Zellerbach trail. The proposed comp plan map amendment and concurrent zone change to Public Lands Recreation (PL-R) will correctly align the current use with the proper zoning and will contribute to the satisfaction of the recreational needs of the citizens of the state and allow for future siting of recreational amenities and uses.

*I. Economic Development (Goal 9)*

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

**Finding:** While the annexation boundary area does not contain commercial or industrial lands, the Water and Wastewater Treatment Plants are integral to support ongoing commercial and industrial endeavors within the City, in support of the Goal.

*J. Housing (Goal 10)*

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

**Finding:** The property proposed for annexation is designated Public Lands, Manufactured Housing, and Suburban Residential on the Comprehensive Plan map. The proposed annexation, comp plan map amendment and zone change to Public Lands Utility and Public Lands Recreation would have no effect on the housing supply within City Limits since the parcels designated as Manufactured Housing and Suburban Residential are proposed to be zoned as Public Lands Recreation and already contain a linear trail that was never going to be developed as housing regardless of the comp plan map and zoning map amendment. Goal 10 is not applicable to this request.

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

City Property Annexation/Comp Plan Map Amendment/Zone Change

**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:** This Goal has already been met since the subject site contains the City's municipal Water and Wastewater Treatment Plants which are governed by the City's Water and Wastewater Master Plans.

L. *Transportation (Goal 12)*

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

**Finding:** Statewide Planning Goal 12 is implemented by the state Transportation Planning Rule (TPR). The City adopted an updated Transportation System Plan (TSP) on September 6, 2016. The transportation impacts associated with the annexation and full development of the subject site was analyzed as part of the 2016 TSP update, with the exception of the recreational trail property. The trail property, by virtue of its comp plan designation of Manufactured Housing and Suburban Residential, was assumed in the 2016 TSP update to build out at residential densities allowed under the R-1 (Low Density Residential) and MH (Manufactured Housing) zoning districts. Since the proposed zoning for this property is proposed to be Public Lands Recreation, which is associated with fewer transportation impacts, this down zone will not have a significant effect on any existing or planned transportation facilities and complies with OAR 660-012-0060.

The City will require any needed improvements to the roadway network as conditions of approval for subsequent development proposals submitted for the annexation area. Therefore, the application is consistent with this Goal.

M. *Energy Conservation (Goal 13)*

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

- 1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:*
  - a. Lot size, dimension, and siting controls;*
  - b. Building height, bulk and surface area;*
  - c. Density of uses, particularly those which relate to housing densities;*
  - d. Availability of light, wind and air;*
  - e. Compatibility of and competition between competing land use activities; and*
  - f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.*

**Finding:** Due to the unique uses on the subject sites, the Master Plans for Water and Wastewater primarily govern the location of buildings on the sites, and inform the City of

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

the type of structures needed. The annexation, comp plan map amendment, and zone change proposal will therefore have no significant impact with respect to this Goal.

*N. Urbanization (Goal 14)*

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

**Finding:** The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation, comp plan map amendment and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Therefore, the application is consistent with this Goal.

*O. Other Goals*

**Finding:**

The following goals are not applicable to this application:

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

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

*POLICIES FOR THE URBAN GROWTH BOUNDARY*

*It is the policy of the City of Scappoose to:*

- 1. Work with Columbia County in establishing, maintaining, and managing an Urban Growth Boundary, and in amending the UGB as the need arises.*

*Policies 2-10 are not applicable to this application.*

**Finding:** This application was sent to Columbia County Land Development and Columbia County Road Department for referral comments on the proposed annexation. No objections were received and a comment submitted by Columbia County Road Department is attached as **Exhibit 10**.

The applicable POLICIES FOR THE URBAN GROWTH BOUNDARY are satisfied.

*POLICIES FOR THE PUBLIC AND SEMI-PUBLIC LAND CATEGORY*

- 3. Amend the Comprehensive Plan Map as public and semi-public agencies*

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

*designate which sites they propose to utilize for future development.*

5. *Require all development, whether private or public, to conform to zoning regulations of the Development Code.*
6. *All development within the public lands designation shall be limited to public facilities, transportation, recreation, utilities and other government facilities.*

*Policies 1-2, and 4 are not applicable to this application.*

**Finding:** In conformance with Policy 3 above, the City is requesting to re-designate the recreational trail property to Public Lands since its current and future use will be as a public linear trail and it is in City ownership. In conformance with Policy 5 & 6 above, all future development on City owned parcels zoned Public Lands Recreation and Public Lands Utility shall conform to the zoning regulations of the development code and development shall be limited to public facilities, transportation, recreation, utilities and other government facilities.

The applicable POLICIES FOR THE PUBLIC AND SEMI-PUBLIC LAND CATEGORY are satisfied.

POLICIES FOR HAZARD AREAS

- 1) *Prohibit development on lands within the 100-Year Floodplain, on slopes exceeding 20 percent, on lands with recognized drainage problems, and on lands with soils classified by the SCS as having severe building constraints, unless a showing that design and construction techniques can eliminate potential loss of life and property, specifically:*
  - A) *All development within the 100-Year Floodplain shall conform to the standards set by HUD, and the proposal for development shall be approved by the City Engineer.*
  - B) *All development plans on slopes greater than 20 percent shall be reviewed and approved by the Superintendent of Public Works.*
  - C) *All development plans on lands with recognized drainage problems shall be reviewed and approved by the Superintendent of Public Works.*
  - D) *All development plans on lands with suspect soils shall be submitted with a report from a soils geologist attesting to the safety of the plans, and then shall be reviewed and approved by the City Engineer.*

*For development on such lands, the City may impose whatever conditions it deems necessary to protect life and property.*

*Policies 2 and 3 are not applicable to this application.*

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

**Finding:** A portion of the site is within the 100-year floodplain (see **Exhibit 4**) and future development will need to demonstrate compliance with applicable Federal, State, and City regulations for floodplain protection.

The applicable POLICIES FOR HAZARD AREAS is satisfied.

**3. 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 commissions 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;*

**Finding:** The proposal involves an amendment to the Comprehensive Plan and findings related to the Statewide Planning Goals have been provided within this report. This application is consistent with applicable Oregon Revised Statutes and Administrative Rules. Section 17.22.040 (A) is satisfied.

*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;*

**Finding:** Findings have been provided throughout this report to show consistency with the Comprehensive Plan, the standards of the development code, and other implementing ordinances. Section 17.22.040 (B) is satisfied.

*C. The change will not adversely affect the health, safety, and welfare of the community;*

**Finding:** The proposed annexation is consistent with the Comprehensive Plan and will not adversely affect the health, safety, and welfare of the community. Section 17.22.040 (C) is satisfied.

*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*

**Finding:** The proposal corrects an inconsistency in the Comprehensive Plan in that the City is proposing to re-designate a City owned parcel currently used for recreational purposes to the Public Lands designation. The proposal also responds to changes in the community since the City now desires to expand its City limits to incorporate City owned properties. Section 17.22.040 (D) is satisfied.



*City Property Annexation/Comp Plan Map Amendment/Zone Change*

*E. The amendment conforms to Section 17.22.050.*

**Finding:** Consistency with Section 17.22.050 is demonstrated below. Section 17.22.040 (E) 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.*

**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);*

**Finding:** The proposed annexation, comp plan map amendment and zone change will not necessitate changes to the functional classification of existing or planned transportation facilities.

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

**Finding:** The proposed annexation, comp plan map amendment and zone change will not change any standards implementing the functional classification system.

*(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.*

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

*(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.*

**Finding:** The projected impacts from the proposed zone change were accounted for in the planning models on which the recently adopted TSP was based, and the infrastructure improvements and policies contained within the TSP aim to address those impacts. Additionally, the City is proposing to amend the Comp Plan Map to re-designate the recreational trail property to Public Lands, with a corresponding zone change to Public Lands Recreation which will result in fewer traffic impacts than what the TSP had assumed. Therefore, the City can find that the proposed zone change, comp plan map amendment, and annexation does not significantly affect an existing or planned transportation facility. The Transportation Planning Rule is satisfied.

ODOT has no concerns and chose not to submit comments on this proposal since the zoning is either consistent with the Comp Plan designation, or in the case of the linear trail property, is being down zoned which would allow uses with fewer transportation impacts than its current Comp Plan designation allows.

Future development proposals will be required to provide traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Section 17.22.040 (E) is satisfied.

Chapter 17.78 PUBLIC LANDS UTILITY

17.78.030 Permitted uses. *In the PL-U zone, only the following uses and their accessory uses are permitted outright, and are subject to the provisions of Chapter 17.120, Site Development Review:*

- A. Public water system structures, including, but not limited to treatment plants, storage reservoirs, pump stations or other major facilities associated with the supply or distribution of water;*
- B. Public sewerage or drainage way system structures, including, but not limited to, pump stations, or sewage or storm water treatment plants;*
- C. Public work shops, road shops, yards, and equipment and material storage yards.*
- D. Public support facilities.*

**Finding:** Three of the tax lots proposed for annexation would automatically receive Public Lands Utility zoning in conformance with their Public Lands Comp Plan Map

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

designation. The current uses on these tax lots consist of the City's Miller Road Water Treatment Plant, the City's Wastewater Treatment Plant, and the City's Public Works Shop and offices, all of which are permitted uses, as detailed above. Future development of these sites must conform to the list of permitted uses as specified in this chapter. Section 17.78.030 is satisfied.

*17.78.040 Dimensional requirements. Due to the unique nature of the public uses allowed within the PL-U zone, no designated minimum lot size, minimum yard requirements, minimum building height or maximum lot coverage exist. Minimum lot size, lot coverage, building height and yard requirements shall be determined on a case by case basis by the planning commission as provided for within the provisions of Chapter 17.120.*

**Finding:** As specified above, there are no designated requirements for this zone due to its unique nature. Future development will require Planning Commission approval. Section 17.78.040 is satisfied.

Chapter 17.79 PUBLIC LANDS RECREATION

*17.79.030 Permitted uses. In the PL-R zone, only the following uses and their accessory uses are permitted outright, and are subject to the provisions of Chapter 17.120, Site Development Review:*

*A. Public recreation facilities including neighborhood and community parks, park plazas, multi-use trails with associated trail access points and trailheads, campgrounds and other similar uses;*

*B. Public support Facilities.*

**Finding:** The City is proposing to zone the recreational trail property Public Lands Recreation since its current use as a multi-use trail fits within the permitted uses of this zoning district. Future development of this site must conform to the list of permitted uses as specified in this chapter. Section 17.79.030 is satisfied.

*17.79.040 Dimensional requirements. Due to the unique nature of the public uses allowed within the PL-R zone, no designated minimum lot size, minimum yard requirements, minimum building height or maximum lot coverage exist. Minimum lot size, lot coverage, building height and yard requirements shall be determined on a case by case basis by the planning commission as provided for within the provisions of Chapter 17.120.*

**Finding:** As specified above, there are no designated requirements for this zone due to its unique nature. Future development will require Planning Commission approval. Section 17.79.040 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

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

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

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

**Finding:** The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed. The annexation's location abuts City limits and contributes to a logical service area and clear identification of the City. The City is already providing services to the annexation area, by virtue of the unique uses there. Annexation of the property provides for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

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

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

**Finding:** The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services or cause an unreasonable disruption of the current City boundary. The proposed annexation area is already served by urban services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

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

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

*City Property Annexation/Comp Plan Map Amendment/Zone Change*

**Finding:** The proposed annexation area is already served by urban services. Section 17.136.040(A).1 is satisfied.

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

**Finding:** The proposed annexation is not expected to unduly compromise public service providers. The Scappoose Fire Department and Police Departments had an opportunity to comment on the proposal and no objections were received. The impact to the public transportation system is expected to be minimal due to the unique nature of the existing uses. Section 17.136.040(A).2 is satisfied.

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

**Finding:** This approval criteria is not applicable to this application due to the unique uses in the annexation area. Section 17.136.040(A).3 is satisfied.

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

**Finding:** This site is contiguous to the existing City limits and is already served by utilities. Police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The subject site is close to existing development, making carpooling and energy conservation possible. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A).4 is satisfied.

*Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL*

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

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

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

**Finding:** The City of Scappoose has requested the concurrent review of Annexation, Comp Plan Map Amendment, and Zone Change applications. The Planning Commission

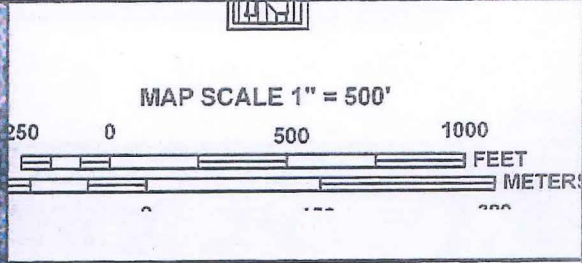
*City Property Annexation/Comp Plan Map Amendment/Zone Change*

will make a recommendation to the City Council regarding the City's request. Based on the submitted materials and the staff report, the City's proposal complies with the City's Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

**RECOMMENDATION**

Based on the findings of fact, the conclusionary findings for approval, and the material submitted by City staff, staff recommends that the Planning Commission recommend **APPROVAL** of application ANX1-18/CPA2-18/ZC2-18 by the City Council.

Exhibit H



NATIONAL FLOOD INSURANCE PROGRAM  
 FEDERAL EMERGENCY MANAGEMENT AGENCY

PANEL 0463D

**FIRM**  
 FLOOD INSURANCE RATE MAP  
 COLUMBIA COUNTY,  
 OREGON  
 AND INCORPORATED AREAS

PANEL 463 OF 525  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
COLUMBIA COUNTY	410034	0463	D
SCAPPOOSE CITY OF	410039	0463	D

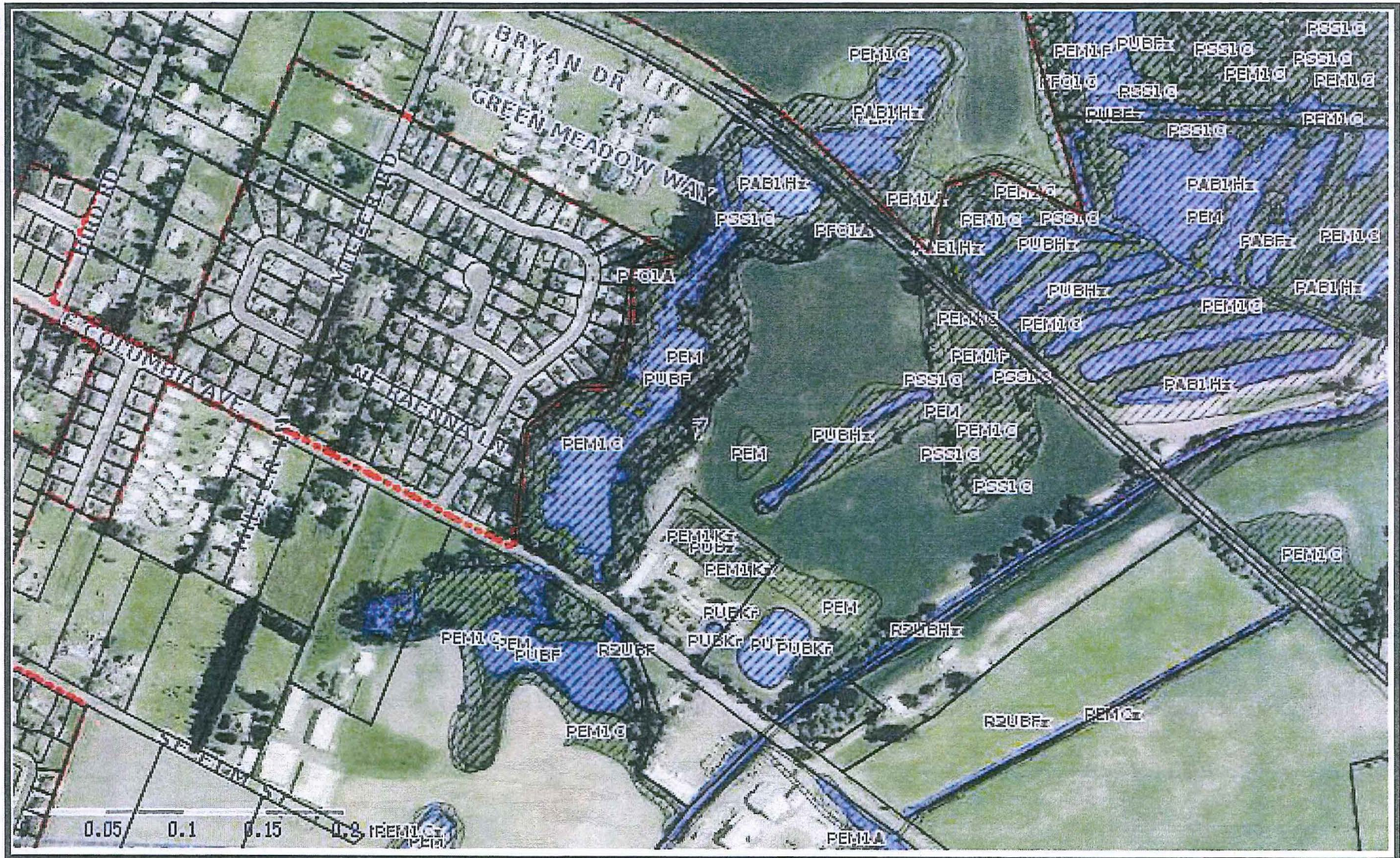
Notice to User: The Map Number shown below should be used when placing map orders: the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
 41009C0463D  
**MAP REVISED**  
 NOVEMBER 26, 2010  
 Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

# County Wetlands Map

Exhibit 5



Columbia County

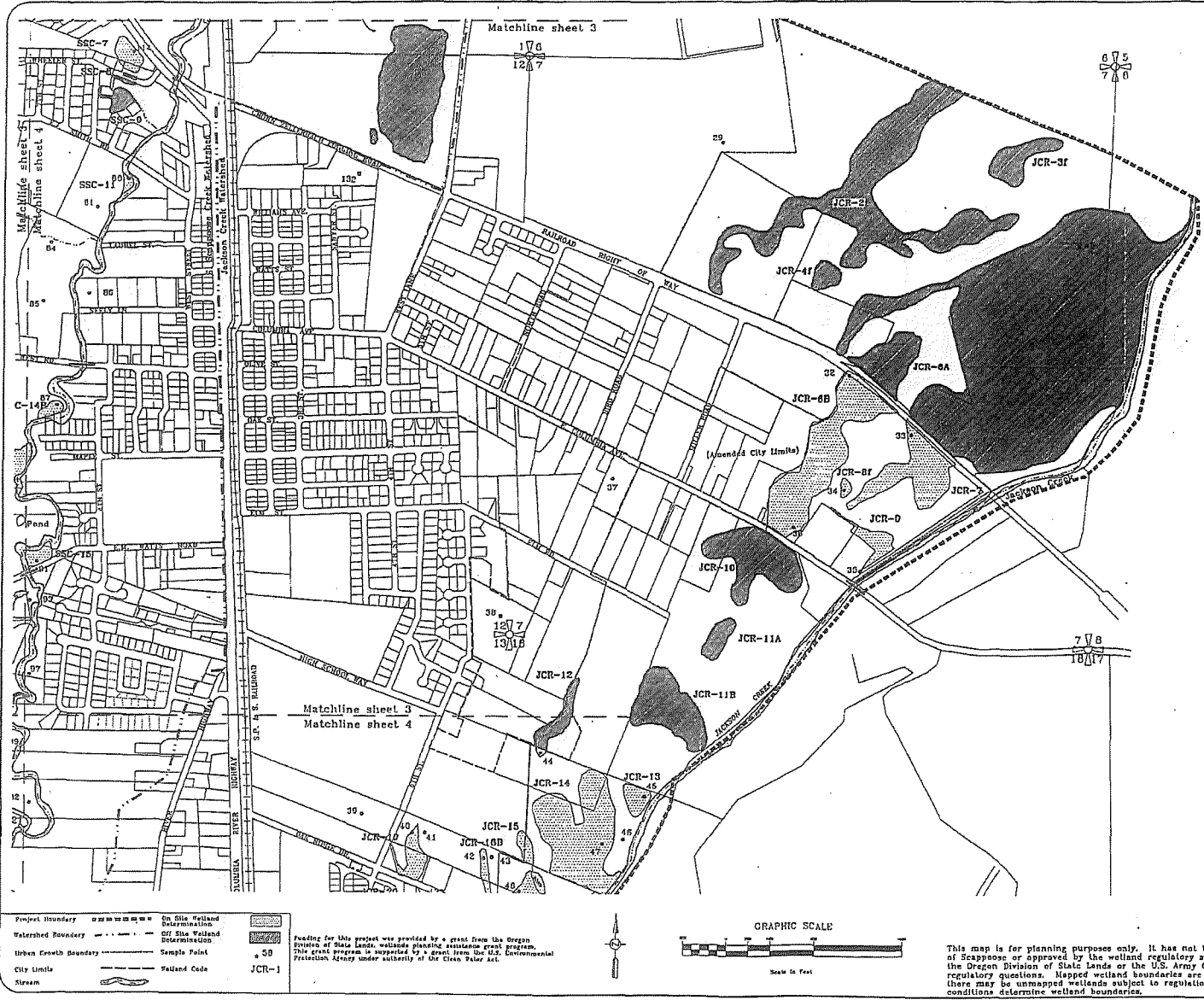


## Columbia County Web Maps



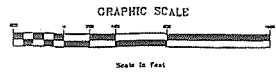
**Disclaimer:** This map was produced using Columbia County GIS data. The GIS data is maintained by the County to support its governmental activities and is subject to change without notice. This map should not be used for survey or engineering purposes. Columbia County assumes no responsibility with regard to the selection, performance or use of information on this map.





Project Boundary	On Site Wetland Determination	Off Site Wetland Determination
Watershed Boundary	Sample Point	Wetland Code
Urban Growth Boundary	50	JCR-1
City Limits		
Stream		

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.

Pacific Rabbit Services, Inc.  
Wetland Mapping, Design, EIR/EA  
Phase I/II/III/IV/VI/IX  
Phone: (503) 572-0909

P.H.S.

Scappoose  
Local Wetlands Inventory

December, 1979  
BASE MAP FROM: Scappoose  
K.C.L. Engineering  
5-1234

JOB NO.:

Fig. 4C

Exhibit 8

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 (ANX1-18/CPA2-18/ZC2-18)**

**January 5, 2018**

**RETURN TO: Laurie Oliver, City Planner, City of Scappoose, 33568 East Columbia Ave, Scappoose, OR, 97056 (FAX 503-543-5679) or email [loliver@cityofscappoose.org](mailto:loliver@cityofscappoose.org) by January 19, 2018.**

**REGARDING:** The City of Scappoose proposes to annex (ANX1-18) several City owned properties to include those portions of the Crown Zellerbach linear trail within the Urban Growth Boundary, the Miller Road Water Treatment Plant, the Wastewater Treatment Plant and a portion of the Miller Road right-of-way, totaling 63.6 acres, described as Columbia County Assessor Map Numbers: 3107-00-00500, 3107-00-00600, 3107-00-01600 (a portion thereof), 3107-BD-00100, and 3212-AA-01700. Based on the requirements of the Scappoose Development Code, if this property is annexed the Miller Road Water Treatment Plant and the Wastewater Treatment Plant will automatically receive (PL-U) Public Lands Utility zoning (ZC2-18) in conformance with their (PL) Public Lands Comp Plan designations. For those portions of the linear trail within the Urban Growth Boundary, the City proposes to amend the Comp Plan map (CPA2-18) to change the Comp Plan designations from MH (Manufactured Housing) and SR (Suburban Residential) to PL (Public Lands), with a corresponding zone change to (PL-R) Public Lands Recreation.

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: UNIQUE DEVELOP THAT EXISTS ON THESE PROPERTIES  
CAN BE ADEQUATELY SERVED BY EXISTING INFRASTRUCTURE.  
HOWEVER, FUTURE SITE DEVELOPMENT ACTIVITIES AFTER ANNEX.  
MAY REQUIRE HALF STREET IMPROVEMENTS INCLUDING CURB,  
GUTTER, SIDEWALK, STREET TREES & STREET LIGHTING PER PUDS.

Signed: C. Negelspach  
Title: CITY ENGINEER

Date: 1/5/2018

*Exhibit 9*

**Laurie Oliver**

---

**From:** Craig Allison <Allison@portsh.org>  
**Sent:** Wednesday, January 17, 2018 3:55 PM  
**To:** Laurie Oliver  
**Subject:** ANX1-18/CPA2-18/ZC2-18 POSH comment

Hi Laurie,

Ref. the above application: The Port appreciates the opportunity to review and comment on this application. After review, we only note the potential to create areas that may become wildlife attractants, and which may in turn conflict with airport operations. Otherwise, we have no concerns as long as development follows all relevant FAA and ODA guidelines.

Best regards,  
Craig

Craig Allison  
Property and Operations Manager  
Port of St. Helens  
O: 503-397-2888  
D: 503-476-9202  
C: 503-369-9059

Exhibit 10

**Laurie Oliver**

---

**From:** Welter, Lonny <lonny.welter@co.columbia.or.us>  
**Sent:** Friday, January 05, 2018 9:09 AM  
**To:** Laurie Oliver  
**Subject:** Re: Referral for annexation of City owned parcels

Laurie,

No Concerns. We have reviewed the enclosed application and have no objection to its approval as submitted. Actually I am surprised this has not already happened.

Sincerely,

Lonny Welter  
Transportation Planner  
Columbia County Road Department

On Thu, Jan 4, 2018 at 4:29 PM, Laurie Oliver <[loliver@cityofscappoose.org](mailto:loliver@cityofscappoose.org)> wrote:

Lonny-

I have attached a referral for you, although, since the City is the applicant there is not an application for me to attach. The staff report for this application will be ready on February 1<sup>st</sup>. Since all of the land we are annexing is proposed to be zoned Public Lands (Recreational or Utility) we will not be doing a traffic study for this annexation/comp plan amendment/zone change, nor will ODOT require one (I confirmed this with Ken at ODOT). I will provide findings within the staff report for the TPR analysis showing no significant effect though.

Let me know if you have any concerns please.

Thanks-

Laurie

Exhibit 11



# FIRE MARSHAL

Columbia River Fire & Rescue / Scappoose Fire District



Date: 1/4/2018

Laurie Oliver

**RE:**

**Land Use Action Referral**

**ANX1-18/CPA2-18/ZC2-18**

Dear Laurie:

I received the Land Use Action Referral regarding the above referenced project. Based on what was submitted, the fire district has one comment and finding, but we have no objections.

1. The fire district wishes to make sure that depending on the standards for recreation, we will still be allowed motorized access in this area for emergencies and training for emergencies. Without knowing the standards for recreation, we wish to make sure that our comments are recorded and considered as this process occurs.

Should you have any questions about anything else, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Pricher".

Jeff Pricher  
Division Chief  
Fire Marshal (CRF&R / SRFD)

