



**SCAPPOOSE**  
*Oregon*

**SCAPPOOSE PLANNING COMMISSION**

Council Chambers at City Hall  
33568 East Columbia Avenue

**Thursday, July 27<sup>th</sup>, 2017 at 7:00 p.m.**

**1.0 CALL TO ORDER**

**2.0 ROLL CALL**

**3.0 APPROVAL OF MINUTES**

**3.1 June 22<sup>nd</sup>, 2017 meeting**

**4.0 CITIZEN INPUT**

**5.0 NEW BUSINESS**

**5.1 Docket # ANX1-17/ ZC1-17**

Oregon Institute of Technology has requested approval for the proposed Annexation (ANX1-17) and Zone Change (ZC1-17) of approximately 52.4 acres described as Columbia County Assessor Map Numbers: 3201-D0-00800, 3201-D0-01000, 3201-D0-01100, 3201-D0-00600, 3201-D0-00601, 3201-D0-00602, 3201-D0-00603, 3201-D0-00604, 3201-D0-00605, and 3201-D0-00606. The site is located directly west of West Lane Road, east of Columbia River Hwy, and north of Crown Zellerbach Road. Based on the requirements of the Scappoose Development Code, if this property is annexed it would automatically receive Light Industrial zoning since the site has an "Industrial" Comprehensive Plan Map designation.

**Format:** Quasi-Judicial Land Use Public Hearing – verbal and written testimony accepted.

**NOTE: 5.2 CONTINUATION of Docket # PTR2-17 has been removed from agenda.**

**6.0 COMMUNICATIONS**

**6.1 Calendar Check**

**6.2 Commissioner Comments**

**6.3 Staff Comments**

**7.0 ADJOURNMENT**

*This is an open meeting and the public is welcome. The City of Scappoose does not discriminate on the basis of handicap status in its programs and activities. If special accommodations are required, please contact Susan M. Reeves, MMC, City Recorder, in advance, at 543-7146, ext. 224. TTY 1-503-378-5938  
Meeting Agenda & Packet items can be viewed on City's website calendar links.  
[www.ci.scappoose.or.us](http://www.ci.scappoose.or.us)*



# SCAPPOOSE *Oregon*

## SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall  
33568 East Columbia Avenue

**Thursday, June 22<sup>nd</sup>, 2017 at 7:00 p.m.**

### 1.0 CALL TO ORDER

Chair Kulp called the meeting to order at 7:03pm.

### 2.0 ROLL CALL

Carmen Kulp	Chair	Laurie Oliver	City Planner
Bill Blank	Commissioner	Elizabeth Happala	Office Administrator III
Bruce Shoemaker	Commissioner	Ben Tolles	AmeriCorps RARE Participant
Rita Bernhard	Commissioner		
Tim Connell	Commissioner		

**Excused:** Vice Chair Jensen and Commissioner Bernhard

### 3.0 APPROVAL OF MINUTES

#### 3.1 June 8<sup>th</sup>, 2017 meeting minutes

Commissioner Blank stated on packet page 16 of 56 (minutes page 15 of 29), the word should be "hearing" not "earring".

Office Administrator Elizabeth Happala replied that the email sent out to the commissioners earlier this week caught that and the corrections were made.

Commissioner Connell moved and Commissioner Dahla seconded the motion to approve the June 8<sup>th</sup>, 2017 Planning Commission meeting minutes. Motion passed 5-0.

**AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commission Dahla and Commissioner Connell.**

**NAYS: None.**

### 4.0 CITIZEN INPUT

There were none as no one was in the audience.

### 5.0 NEW BUSINESS

#### 5.1 Docket # DCTA2-17

The Scappoose Planning Commission and City Council have scheduled Legislative Land Use Public Hearings to solicit comments on proposed amendments to Chapter 17.114 of the Development Code.

Chair Kulp read the docket item and the order of the hearing.

AmeriCorps R.A.R.E. Participant Ben Tolles read the staff report and staff recommendations.  
Chair Kulp asked if any commissioners had any questions.

*Page 1 of 4 Planning Commission Minutes ~ June 22, 2017*



Commissioner Blank asked for clarification on the last paragraph of packet page 31 of 56; if staff wanted that approach in this community to consolidate political and non-permanent signs into one category.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that if we had a separate regulation for political signs then we would be regulating the content of the sign which is unconstitutional so they are now grouped with temporary signs.

Commissioner Blank stated that it says; “temporary signs could not be placed more than 45 days before an event”; adding that things can happen.

AmeriCorps R.A.R.E. Participant Ben Tolles replied that it could not be placed sooner than 45 days before an event or election.

Commissioner Blank understands now as he was confused when he first read it.

Commissioner Dahla had a question about electronic signs; Dairy Queen has an electronic sign on Highway 30 but if they upgrade their sign by the drive through to an electronic menu then would that be considered another sign.

City Planner Oliver stated that if it is on the premises then those are handled differently since you cannot see the words from the right-of-way.

Commissioner Blank asked if the other signs were all grandfathered in, including roof top signs.

AmeriCorps R.A.R.E. Participant Ben Tolles agreed.

City Planner Oliver also agreed; until the roof signs are abandoned.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that the code would not become effective until City Council passes it, which they will have two meetings to do that, so it could be a few more months for illegal signs to be built.

Chair Kulp had one correction on packet page 43 of 56; 2<sup>nd</sup> item Direct Illumination; “standalone” should be split into “stand alone”. Stating everything else looked good. Then closed the hearing at 7:10 PM.

Commissioner Blank thanked staff for all their time and going over the Troutdale codes to help keep our codes up to date.

Chair Kulp asked for any other comments; there were none.

Commissioner Shoemaker moved and Commissioner Blank seconded the motion to recommend approval to City Council of Docket # DCTA2-17. Updating Chapter 17.114 Sign Code. Motion passed 5-0.

**AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commission Dahla and Commissioner Connell.**

**NAYS: None.**

## **6.0 COMMUNICATIONS**

### **6.1 Calendar Check**

City Planner Oliver stated that the continuation of the PTR2-17 hearing originally scheduled for June 29<sup>th</sup> has been changed to July 27<sup>th</sup>. Stating that there will not be Planning Commission meeting on July 13<sup>th</sup> and the OMIC annexation application will be heard at the July 27<sup>th</sup> Planning Commission meeting. Then she went through the other items listed on the calendar.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that the Parks & Rec committee will meet on July 20<sup>th</sup> and he invited the Commissioners to attend as they will be talking about the future of the committee now that the Parks Master Plan is done.

Commissioner Blank stated it will be hot this weekend and we will have belly dancers at the Farmer's Market.

City Planner Oliver advised the Commissioners about our Building Official's retirement BBQ at Veteran's Park from noon - 1:30 on June 29<sup>th</sup>.

AmeriCorps R.A.R.E. Participant Ben Tolles stated that the next Planning Commission meeting will be his 2<sup>nd</sup> to last day here in Scappoose, his last day is Friday July 28<sup>th</sup> and he will heading to Chicago. Adding that the City will get a R.A.R.E. Participant next year as well to do more code updating.

Chair Kulp thanked AmeriCorps R.A.R.E. Participant Ben for all his help and really appreciates his time. Adding that he did a great job at the last Planning Commission meeting which was a full house.

AmeriCorps R.A.R.E. Participant Ben Tolles thanked Chair Kulp and stated he would be moving to Chicago with his girlfriend and looking for a job.

## 6.2 Commission Comments

There were none.

## 6.3 Staff Comments

City Planner Oliver advised Commissioners that the east airport subdivision is moving along and the OMIC annexation should be coming in next month. Stating the Master Plans for Wastewater and the Master Plans for Water are being done right now but still in the early stages. Stated that Phase I of the east airport annexation will be required to put in a new well and sewer pump station plus replace a sewer conveyance line in E. Columbia Ave. Adding that the City has received 4 applications for Building Official/Inspector with interviews beginning next week. Stating that she and Ben will be doing RARE Participant interviews the week of July 17<sup>th</sup>. And will have Ben draft the staff report for the Victoria Estates Subdivision up JP West Rd, but that won't come to Planning Commission until August.

Commissioner Blank stated that the Columbia Century Challenge event last weekend went really well, adding that they rotate the launch site around and this year it was Vernonia, but next year it will be Scappoose.

Chair Kulp asked how many bike riders they had.

Commissioner Blank replied 175 riders and there were no problems accommodating everything and they got in earlier than last year.

Chair Kulp asked if any riders did the loop.

Commissioner Blank replied some did but not many; and Chair Kulp was a volunteer out there. Adding that he received a lot of positive feedback and that many do this to prepare for Hood to Coast.

City Planner Oliver asked if there was an entry fee to raise money.

Commissioner Blank replied yes and those funds cover their expenses and raises money for their purposes, which is improving the bike paths, signage and repair stations after these places are identified in the county or the city. Adding that their next project is a bike repair station near the Crown Zellerbach Trail area.

## **6.0 ADJOURNMENT**

Chair Kulp closed the meeting at 7:25 PM.

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**Chair Carmen Kulp**

**Attest:**

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**Elizabeth Happala, Office Administrator III**

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ANX1-17/ZC1-17

July 20, 2017

*OMIC Annexation and Zone Change***CITY OF SCAPPOOSE STAFF REPORT**

- Request:** Approval of an application for annexation of approximately 52 acres and a corresponding zone change to Light Industrial (LI).
- Location:** The application involves 10 subject parcels, located east of Highway 30, north of Crown Zellerbach Road, and west of West Lane Road. The subject site is described as Columbia County Assessor Map Numbers: 3201-D0-00600, 3201-D0-00601, 3201-D0-00602 (a portion thereof), 3201-D0-00603, 3201-D0-00604, 3201-D0-00605, 3201-D0-00606, 3201-D0-00800, 3201-D0-01000, and 3201-D0-01100. See attached Vicinity Map (**Exhibit 1**).
- Applicant:** State of Oregon (Oregon Institute of Technology)
- Owner(s):** Total of 10 subject properties:
- 3201-D0-00600 – Travis Garske
  - 3201-D0-00601 – Travis Garske
  - 3201-D0-00602 – Scott T. Parker
  - 3201-D0-00603 – Baker Rock Crushing Company
  - 3201-D0-00604 – Laurel Heights, LLC
  - 3201-D0-00605 – State of Oregon
  - 3201-D0-00606 – State of Oregon
  - 3201-D0-00800 – Dana John Parker
  - 3201-D0-01000 – Dana J. Parker
  - 3201-D0-01100 – Jeffrey Masog & Lisa Yatabe Arisu

**EXHIBITS**

1. Vicinity Map
2. Application for Annexation and Zone Change for the Oregon Manufacturing Innovation Center, revised June 20, 2017 (excluding plans and appendices)
3. Plans
  - A. Context and Zoning Plan
  - B. Conceptual Development Plan
  - C. Proposed Sanitary Sewer Plan
  - D. Proposed Storm Sewer Plan
  - E. Proposed Water System Plan
4. Transportation Planning Rule Analysis (appendix available upon request), dated June 12, 2017
5. Legal description of annexation area and map
6. Preliminary partition map, Tax Lot 3201-D0-00602
7. Flood Insurance Rate Maps 41009C0444D and 41009C0463D, dated November 26, 2010

*OMIC Annexation and Zone Change*

8. FEMA Letter of Map Revision, dated December 19, 2016
9. Floodplain exhibit, dated June 20, 2017
10. Local Wetland Inventory map
11. Existing and proposed zoning map, dated June 19, 2017
12. Scappoose Rural Fire District Referral and Comment, dated June 30, 2017
13. ODOT Referral and Comment, dated July 14, 2017
14. DKS Traffic Review, dated July 19, 2017
15. Josselson & Potter comment, dated July 10, 2017
16. Engineering memo by Carollo Engineers, dated July 20, 2017
17. Waiver of Right to Remonstrate

**SUBJECT SITE**

- The subject site consists of 10 tax lots totaling approximately 52 acres located east of Highway 30, north of Crown Zellerbach Road, and west of West Lane Road.<sup>1</sup> The land proposed for annexation is within the City's Urban Growth Boundary. See **Exhibit 1**, Vicinity Map.
- The western boundary of the annexation area abuts the railroad tracks along Highway 30, while the northern boundary generally follows Scappoose Creek, with the exception of the northwest corner of Tax Lot 600 (which is on the opposite side of the creek) and the northern boundaries of Tax Lots 800, 1000, and 1100. The eastern boundary follows West Lane Road, while the southern boundary abuts active gravel operations at Scappoose Sand and Gravel.
- The owner of Tax Lot 602 applied for a partition (see **Exhibit 6**) and received approval by Columbia County Land Development Services (LDS) on May 19, 2017 under file number MP 17-09. The purpose of the partition was to divide the property along the proposed annexation boundary. The owner must complete the process by recording the final partition plat with the Columbia County Surveyor.
- The majority of the annexation area is zoned Heavy Manufacturing (M-1) by Columbia County, with three smaller parcels near the northern end zoned Rural Residential 2 (RR-2). See **Exhibit 11**.
- A variety of existing uses are located within the annexation area, including Cascade Concrete (concrete pipe manufacturer), Baker Rock (rock crushing operation), Scappoose Sand and Gravel, the Oregon Manufacturing Innovation Center, and two single-family residences. See **Exhibits 2 and 3A**.
- 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.

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<sup>1</sup> Only the northern portion of tax lot 3201-D0-00602 is proposed for annexation, with the southern portion proposed to remain in unincorporated Columbia County. The owner has applied to Columbia County to partition the land along the proposed annexation boundary.

*OMIC Annexation and Zone Change*

- According to the Flood Insurance Rate Maps (FIRM) 41009C0444D and 41009C0463D a portion of the property lies within the 100-year floodplain. See **Exhibit 7**. Prior fill operations have raised a portion of the site so the Federal Emergency Management Agency (FEMA) has issued a Letter of Map Revision to remove that area from the floodplain (see **Exhibit 8**). The floodplain diagram attached as **Exhibit 9** illustrates those portions of the annexation area which have been removed from the 100-year floodplain and those portions which remain in the floodplain. According to the exhibit, 22.9 acres of the annexation area remain in the 100-year floodplain.
- The Scappoose Local Wetlands Inventory Map identifies one wetland on the west side of Scappoose Creek (SSC-5) in the western portion of the annexation area (see **Exhibit 10**). A second wetland in the same general area (SSC-6) may be inside or outside the annexation area but is difficult to determine due to the map scale. Development in the vicinity of the creek may require site investigation to identify current wetlands.

**OBSERVATIONS**CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The applicant has requested annexation of the property and a corresponding zone change to Light Industrial (LI) for approximately 52 acres, in conformance with the area's Industrial Comprehensive Plan Designations.

OREGON MANUFACTURING INNOVATION CENTER

- The impetus for the annexation is to accommodate the Oregon Manufacturing Innovation Center (OMIC), a partnership among several universities and industrial employers with the aim of performing manufacturing research that can be readily applied to industrial operations. OMIC has established its facilities in the existing building on Tax Lot 605 but does not have access to City services until the site is annexed. Fostering the growth of this institution will further the City's policy goals and economic development objectives.
- The owners of the other parcels have also requested to be annexed as part of the same City review process as the OMIC facility.

NONCONFORMING USES

- As detailed in **Exhibit 2**, the existing residences, Baker Rock, and Cascade Concrete would be nonconforming uses as they are not permitted uses in the Light Industrial zone. The applicant requests that the existing uses remain in place until such time that the properties redevelop. Although the City's annexation rules authorize City Council to impose a timeline for removal of nonconforming uses, staff has not recommended that City Council impose a deadline.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The annexation area abuts the railroad tracks along Highway 30 to the west and West Lane Road to the east. Access to the site is currently taken from West Lane Road and Crown Zellerbach Road (via easement). As illustrated in **Exhibit 3B**, the property owners have



*OMIC Annexation and Zone Change*

developed a conceptual plan for a future public roadway network connecting West Lane Road and Crown Zellerbach Road. Construction of this roadway system is dependent in part upon further filling operations at Scappoose Sand and Gravel. This alignment roughly corresponds to the proposed neighborhood street identified as project D9 and a portion of D8 in the City's 2016 Transportation System Plan (TSP). The precise location and design of the streets will be determined once future development proposals are evaluated.

- As required by SDC 17.22.050, proposals to amend the 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). The applicant submitted a TPR Analysis to evaluate compliance with the Transportation Planning Rule (**Exhibit 4**). The TPR Analysis estimates trip generation within Transportation Analysis Zones (TAZ) #104 and 134 (as defined in the TSP<sup>2</sup>). The applicant's engineer estimates that the portion of the annexation area within TAZ 104, which is approximately 36% of the land area of the TAZ, will generate approximately 296 weekday PM peak hour trips in the year 2035, or 48% of the TSP's estimate for this TAZ. The applicant's engineer also estimates that the portion of the annexation area within TAZ 134, which is approximately 7% of the land area of the TAZ, will generate approximately 131 weekday PM peak hour trips in the year 2035, or 42% of the TSP's estimate for this TAZ. This analysis points out the need for future development proposals to be accompanied by a transportation impact study to identify any needed mitigation measures.
- 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 amendment that accounted for urbanization of the area. Since the proposed zone change meets conditions 1 – 3 under OAR 660-012-0060(9), the City can find that the proposed zone change does not significantly affect a transportation facility.
- ODOT submitted comments observing that the annexation is consistent with the TSP and the Comprehensive Plan so the zone change would not trigger further TPR review (**Exhibit 13**). Furthermore, the City's traffic consultant, DKS, has concurred that the TPR review is consistent with the TSP and the annexation does not require traffic mitigation measures at this time (**Exhibit 14**).
- Future development proposals within the annexation area that exceed the City's trip generation thresholds will be required to submit a Transportation Impact Analysis to determine needed improvements to the local transportation network. The City's practice is generally to require half-street improvements as minimum conditions of development

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<sup>2</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>.



*OMIC Annexation and Zone Change*

proposals, to be installed and funded by developers; these improvements would be required along West Lane Road in the future.

UTILITIES

- City water service, storm drainage, and sanitary sewer service are available in proximity to the site, though future development will require water and sanitary sewer upgrades and would trigger the need for on-site stormwater management. **Exhibit 3C** illustrates the potential alignment for future sanitary sewer service; **Exhibit 3D** illustrates the potential alignment for future storm drainage; and **Exhibit 3E** illustrates the potential alignment for future water service. Staff notes that the existing 8-inch sanitary sewer in Wagner Court may be inadequate to serve the entire annexation area, so future developers will likely need to provide additional sewer infrastructure to accommodate future development of portions of the site.
- The current sewer master plan requires extension of a 15-in gravity mainline along the parcel fronting on West Lane Road required to serve parcels to the north. The City is in the process of updating its sewer and water master plans. The updated plans will identify specific infrastructure needs for this area.
- As outlined in the attached memo from Carollo Engineers dated July 20, 2017, attached and incorporated herein as additional findings (**Exhibit 16**), certain services and facilities do not have sufficient capacity to provide service for the full build out of the proposed annexation area. Development, however, is expected to occur in phases allowing for the construction of utility infrastructure over time. Staff and the City Attorney have identified findings and conditions that, if adopted, would provide reasonable assurances that development in the annexed area adequately addresses these services and facilities deficiencies. These findings and conditions support a conclusion that it is feasible to provide sufficient capacity and extend services and facilities in order to permit future development to occur.
- A full explanation of the findings and recommended conditions of approval can be found later in the report, and specifically within the responses to Section 17.136.040.
- The site is outside 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 Scappoose School 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.
- Notice of this request was mailed to property owners located within 300 feet of the subject site on July 10, 2017. Notice was also posted on the property on July 5<sup>th</sup> and published in the local newspaper on July 14<sup>th</sup> and 21<sup>st</sup>, 2017.

- One written comment was received on July 20, 2017 in regards to the application (**Exhibit 15**). The letter, submitted by Irving Potter of the Law Offices of Josselson & Potter, requested that the City include a Condition of Approval allowing for the non-conforming uses (as mentioned previously) to be maintained without the imposition of transportation mitigation measures or the uses being revoked, until such time that the properties are redeveloped and the non-conforming uses are abandoned. Staff is in support of this and has added a recommended Condition of Approval to reflect this request.

#### APPLICABILITY OF STATEWIDE PLANNING GOALS

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

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

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

###### *A. Citizen Involvement (Goal 1)*

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

###### **Finding:**

The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission will review and comment on the proposed annexation and zoning map amendment on July 27, 2017 to make a recommendation to the City Council. The City Council will hold a hearing on August 7, 2017. 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 and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose

*OMIC Annexation and Zone Change*

to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact.

*C. Agricultural Lands (Goal 3)*

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

**Finding:**

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

*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 abuts Scappoose Creek and contains floodplain and minimal wetlands, as shown on the FIRM maps (**Exhibit 7**) and the City's Local Wetlands Inventory (**Exhibit 10**). 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 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.*

## OMIC Annexation and Zone Change

**Finding:**

The site is currently planned for industrial uses. 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 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.*

**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 **Exhibits 7-9**). 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 industrial development is consistent with avoidance of natural disasters and hazards under Goal 7.

*H. Recreational Needs (Goal 8)*

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

**Finding:**

The annexation area is presently designated Industrial on the Comprehensive Plan Map and will be zoned Light Industrial upon annexation. Consequently, the proposed annexation and zone change will have no effect on the City’s recreational land supply.

*I. Economic Development (Goal 9)*

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

**Finding:**

The 2011 Economic Opportunities Analysis (EOA), UGB amendment, and associated Comprehensive Plan and Development Code amendments created a framework to accommodate and encourage targeted industrial, office, retail, lodging, and public uses to satisfy the City’s anticipated employment growth over a 20-year period.

The proposed annexation and zoning map amendment should result in development that contributes to the state and local economy by providing land for industrial employment and associated uses. The Oregon Manufacturing Innovation Center is expected to be a catalyst for economic development not only for the City of Scappoose but also for south

*OMIC Annexation and Zone Change*

Columbia County. Additionally, the large tracts of land proposed to be annexed will provide opportunities for future redevelopment of existing manufacturing operations with facilities that continue to provide jobs for area residents. Therefore, the application is consistent with this 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 Industrial on the Comprehensive Plan map. The proposed annexation and zone change to Light Industrial would have no effect on the housing supply within City Limits. Goal 10 is not applicable to this request.

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

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

**Finding:**

The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense at such time that the property is developed. Water, sanitary sewer and storm sewer would be constructed as conditions of approval for future subdivision or site development review applications, therefore, this goal can be met.

*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. The proposed zoning is consistent with the assumptions used to develop the TSP and complies with OAR 660-012-0060(9), consistent with the TPR.

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

*M. Energy Conservation (Goal 13)*



*OMIC Annexation and Zone Change*

**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:**

Clustering industrial activities near each other facilitates carpooling and allows for convenient access to principal roadways designated for truck traffic. The subject property is adjacent to land designated for industrial uses. Therefore, the proposal will contribute to a more energy-efficient land use pattern within the City's Urban Growth Boundary and is consistent with 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 and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary water lines, sewer lines, storm drainage lines, and street improvements. 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:**

**GOAL OF THE URBAN GROWTH BOUNDARY**

OMIC Annexation and Zone Change

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

- 1) *Create optimal conditions of livability within the City and its urban growth area.*
- 2) *Locate all major public and private developments such as schools, roads, shopping centers, and places of employment, so that they do not tend to attract residential development to locations outside the designated urban growth boundary.*
- 3) *Include within the urban growth boundary sufficient land for future development.*

*Goals 4-6 are not applicable to this application.*

**Finding:**

Annexing this land will provide employment opportunities in an area planned for industrial development near Highway 30, the railroad tracks, Crown Zellerbach Road, and West Lane Road. Annexing the site accommodates additional industrial development as envisioned by the Comprehensive Plan goals and policies and OMIC will serve as a catalyst for job growth. The site's relative proximity to residential zones within the City supports existing and proposed residential development and promotes the City's livability by allowing short commutes. The annexation will also result in over 50 acres of industrial land being brought into City Limits, satisfying a portion of the City's long-term demand for employment land as identified in the EOA.

The applicable GOALS OF THE URBAN GROWTH BOUNDARY are satisfied.

**POLICIES FOR THE URBAN GROWTH BOUNDARY**

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

- 7) *Consider annexation of industrial lands when sufficient capacity exists for the delivery of sewer, water, street, police and fire services.*

*Policies 1-6 and 8-10 are not applicable to this application.*

**Finding:**

This application contains conceptual site and utility layouts in **Exhibit 3** to demonstrate potential alignments for future roadways and water, sewer, and storm drainage infrastructure. The applicant retained a transportation engineer to assess compliance with the Transportation Planning Rule (**Exhibit 4**). The site is already within the Scappoose Rural Fire District and the District had no objections to the annexation (**Exhibit 12**).

The applicable POLICIES FOR THE URBAN GROWTH BOUNDARY are satisfied.

**GOAL FOR PUBLIC FACILITIES AND SERVICES**



*OMIC Annexation and Zone Change*

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

*Goals 3 and 5-11 are not applicable to this application.*

**Finding:**

The use of the subject properties for industrial development will make efficient use of the City's existing transportation and utility infrastructure and require fewer utility upgrades than would sites farther from the center of the community. Public facilities including water and sewer will be installed at the owners' expense with future development proposals. The conceptual utility plans included in **Exhibit 3** demonstrate the viability of serving the site with municipal infrastructure.

The applicable GOALS FOR PUBLIC FACILITIES AND SERVICES are satisfied.

**POLICIES FOR PUBLIC FACILITIES AND SERVICES**

- 1) *Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.*
- 4) *Require in new developments that water, sewer, street and other improvements be installed as part of initial construction.*
- 9) *Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.*
- 10) *Require new developments to provide adequate drainage at time of initial construction in accordance with the Scappoose Storm System Master Plan while discouraging the alteration of streams, the drainage of wetlands that are identified as significant and the removal of vegetation beside streams. Natural drainage ways shall be used to carry storm water runoff whenever possible*

*OMIC Annexation and Zone Change*

- 29) *Require master plans for business and industrial parks to ensure efficient provision of streets, sewer, water, and storm drainage facilities to large, undeveloped sites.*

*Policies 2-3, 5-8 and 11-28 are not applicable to this application.*

**Finding:**

The public facility requirements must be met at the time that the applicant proposes a Development Plan for industrial uses. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards.

The applicant submitted conceptual sanitary sewer, storm drainage, and water plans (**Exhibit 3**) to demonstrate the viability of serving the site with public facilities. Urban facility design, environmental preservation planning, and planning for flood control and groundwater will occur in detail in subsequent phases, including land division and/or Site Development Review.

The applicable POLICIES FOR PUBLIC FACILITIES AND SERVICES are satisfied.

**GOAL FOR ECONOMICS**

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

- 1) *Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*
- 2) *Establish greater local control over local economic development policy through the adoption of the Scappoose Economic Opportunities Analysis.*
- 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.*
- 4) *Take advantage of economic opportunities identified in the Scappoose Economic Opportunities Analysis (EOA) to increase local employment and community prosperity.*
- 5) *Capitalize on the comparative advantages identified in the Scappoose EOA to maintain and attract industrial and commercial employment opportunities.*

**Finding:**

This annexation application is being made to capitalize on the economic opportunity afforded by the Oregon Manufacturing Innovation Center (OMIC). OMIC's institutional and industrial relationships will serve as a catalyst for the local economy and should lead to increased employment. Annexing multiple parcels at once provides large areas for

*OMIC Annexation and Zone Change*

industrial growth which is anticipated to add health, stability and diversity to the City's economy.

The annexation will enable the City to capitalize on the advantages identified by the EOA. The combination of large sites, relative proximity to the airport, Highway 30 access and pricing advantage (compared to the Portland Metropolitan area competition) provide advantages to the City for increasing industrial employment opportunities.

The applicable GOALS FOR ECONOMICS are satisfied.

*POLICIES FOR ECONOMICS*

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

- 1) *Make sufficient suitable land available for the anticipated expansion of commercial and industrial activities identified in the Scappoose EOA.*
- 4) *Encourage the expansion of employment opportunities within the urban area, so residents can work within their community.*
- 5) *Promote pollution free industrial development necessary to provide a balanced tax base for the operation of local government services.*
- 6) *Cooperate with other agencies, interest groups and businesses in efforts to develop strategies for improving the local economy.*
- 7) *Assist in programs to attract desirable industries in terms of diversification, labor intensiveness, and non-pollution rather than accept any industry which may wish to locate here; additionally, to prohibit industries with excessive levels or pollution or other undesirable effects which would cancel possible economic benefits or threaten the existing quality of living.*
- 8) *Work with local mining industries to rehabilitate the gravel pits so that there will be an efficient use of land and the pits will not be an eyesore.*
- 11) *Identify special locations for industrial activities that will assist in energy conservation; specifically, industries should be clustered:*
  - a. *Close to existing rail lines.*
  - b. *To allow for employees to use carpools.*
- 13) *Coordinate its plans for public facilities to accommodate expected industrial and residential growth.*
- 15) *Encourage energy saving building practices in future commercial and industrial buildings.*

*OMIC Annexation and Zone Change*

- 16) *Protect industrial, airport-related and commercially designated areas for their intended uses as identified in the Scappoose Economic Opportunities Analysis.*
- 18) *Take actions called for in the EOA to increase local employment and improve the population to employment balance.*

*Policies 2-3, 9-10, 12, 14, and 17 are not applicable to this application.*

**Finding:**

The subject property is located in the Scappoose Urban Growth Boundary and is designated Industrial on the Comprehensive Plan Map in recognition of planned industrial uses at such time that the City annexes the property. Some of this land (e.g., the north portion of tax lot 602) has been reclaimed from former gravel mining operations and will be returned to job-generating employment uses. The OMIC facility will serve as a catalyst in attracting new industrial employers to the annexation site and nearby industrial areas.

Approval of the annexation will add more than 50 acres of land zoned Light Industrial to City limits. This will protect employment opportunities as intended by the EOA, and is expected to increase local employment opportunities within the urban area so residents can work within their community.

The site is adjacent to a rail line and the employment areas surrounding the Scappoose Industrial Airpark provide an opportunity for carpooling. Future extension and installation of public services for the annexation area will be provided at the developer's expense, according to the Public Works Design Standards.

The City's Light Industrial zone promotes low-pollution activities that would bolster the City's tax base and provide employment opportunities for City residents. Annexation will allow this development to occur within City Limits.

The applicable POLICIES FOR ECONOMICS are satisfied.

**GENERAL GOALS FOR LAND USES**

- 1) *The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.*
- 3) *A suitable balance between competing land use should be established so that, insofar as possible, the complete range of social, economic, cultural, and aesthetic needs of the community are met.*
- 8) *Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.*

*OMIC Annexation and Zone Change*

- 11) *Life and property should be protected from natural disasters and hazards.*
- 12) *Adequate public services and facilities should be provided to encourage an orderly and efficient growth pattern.*
- 13) *A safe and convenient transportation system should be developed to meet future needs.*
- 14) *The local economy should be strengthened and diversified.*
- 17) *Land uses should be arranged to maximize the conservation of energy.*

*Goals 2, 4-7, 9-10, 15-16, and 18-19 are not applicable to this application.*

**Finding:**

The subject property is located in the UGB by Highway 30 and is suitably located to accommodate contemporary industrial needs. This area is not in conflict with residential uses and would benefit from the proximity of nearby industrial development. Annexation of this site provides for orderly development of the area north of Crown Zellerbach Road and provides a balanced land use supply by helping satisfy the City's need for industrial land. Providing an opportunity for development by annexing the site will increase the number of job opportunities within the City. The area can be efficiently served with utilities and transportation as evidenced by the conceptual plans in **Exhibit 3**.

The applicable GOALS FOR LAND USES are satisfied.

**TRANSPORTATION GOALS**

*Goal 1: Health and Safety. It is the goal of the City of Scappoose to develop and support a transportation system that maintains and improves individual health and safety by maximizing pedestrian and bicycle transportation options, increasing public safety and service access, and enhancing safe and smooth connections between land uses and transportation modes.*

*Goal 2: Transportation System Management. It is the goal of the City of Scappoose to emphasize effective and efficient management of the transportation system for all users.*

*Goal 4: Economic Vitality. It is the goal of the City of Scappoose to support the development and revitalization efforts of the City, Region, and State economies and ensure the efficient movement of people and goods.*

*Goal 9: Coordinate Transportation Planning. It is the goal of the City of Scappoose to develop a transportation system that is consistent with the City's Comprehensive Plan and that is coordinated with County, State, and Regional plans.*

*Goals 3 and 5-8 are not applicable to this application.*



**Finding:**

The annexation area abuts the railroad tracks along Highway 30 to the west and West Lane Road to the east. Access to the site is currently taken from West Lane Road and Crown Zellerbach Road (via easement). As illustrated in **Exhibit 3B**, the property owners have developed a conceptual plan for a future public roadway network connecting West Lane Road and Crown Zellerbach Road. Construction of this roadway system is dependent in part upon further filling operations at Scappoose Sand and Gravel. This alignment roughly corresponds to the proposed neighborhood street identified as project D9 and a portion of D8 in the City's 2016 TSP. The precise location and design of the streets will be determined once future development proposals are evaluated, but the conceptual plan in **Exhibit 3B** demonstrates that the annexation area can be efficiently served with transportation to provide smooth connections between land uses.

This annexation and zoning request will enable the creation of jobs in close proximity to residents of Scappoose and surrounding Columbia County. One benefit of job creation in this vicinity is that these new work trips will be shorter than those to remote job centers, especially to the City of Portland or Washington County. Evaluation of the transportation impacts of future development proposals will be coordinated with both ODOT and Columbia County as appropriate.

The applicable TRANSPORTATION GOALS are satisfied.

GOAL FOR THE INDUSTRIAL LAND USE DESIGNATION

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

- 1) *Provide a place for industrial activities where their requirements can be met, and where their environmental effects will have a minimal impact upon the community.*

**Finding:**

The Industrial Comprehensive Plan designation was previously selected by the City based on the location within the community and the ability to provide efficient services while maintaining some separation from residential areas. The proposed annexation and Light Industrial zoning are consistent with the Comprehensive Plan designation.

The GOAL FOR THE INDUSTRIAL LAND USE DESIGNATION is satisfied.

POLICIES FOR THE INDUSTRIAL LAND USE DESIGNATION

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

- 1) *Provide suitable areas for industrial expansion, utilizing for such purposes relatively large, flat areas that are separated by buffers from the City's residential districts.*

- 2) *Prevent industrial development from disrupting homogeneous residential neighborhoods.*
- 3) *Locate industrial areas so they have a convenient relationship to the community's transportation system, without generating heavy traffic through residential districts; additionally, the clustering of industrial activities will allow carpooling by employees.*
- 4) *Screen, setback or buffer the boundaries of industry, particularly unsightly areas which can be viewed from arterials or from residential areas.*
- 5) *Apply this designation where industrial concerns have become established and where vacant industrial sites have been set aside for this purpose.*
- 6) *Protect the stability and functional aspects of industrial areas by protecting them from incompatible uses.*

**Finding:**

The annexation area is strategically near other compatible industrial uses and has access to utilities and infrastructure. This property is well suited for its intended industrial purpose, moreover, Scappoose Creek forms a logical buffer between less-intensive single-family residential uses to the south. The site is separated from residential development by Crown Zellerbach Road and the property is relatively flat (partly resulting from filling operations within the former gravel mine). The site has access to both West Lane Road and Crown Zellerbach Road, allowing for efficient transportation options which do not route traffic through residential neighborhoods. Future redevelopment of the site will have to comply with Development Code standards for setbacks and screening. At this location, the Industrial Comprehensive Plan designation has been applied to areas which include existing manufacturing operations and vacant land, and the annexation area is protected from incompatible uses by the railroad and abutting roadways.

The applicable POLICIES FOR THE INDUSTRIAL LAND USE DESIGNATION are satisfied.

**GOAL FOR HAZARD AREAS**

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

- 1) *Protect against all loss of life or property by closely regulating construction, investment and activities in designated hazard areas.*



*OMIC Annexation and Zone Change***Finding:**

A portion of the site is within the 100-year floodplain (see **Exhibits 7-9**) and future development will need to demonstrate compliance with applicable Federal, State, and City regulations for floodplain protection.

The applicable GOAL FOR HAZARD AREAS is 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.*

**Finding:**

A portion of the site is within the 100-year floodplain (see **Exhibits 7-9**) and future development will need to demonstrate compliance with applicable Federal, State, and City regulations for floodplain protection.

The applicable POLICY 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:*

*OMIC Annexation and Zone Change*

*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 does not involve an amendment to the Comprehensive Plan, however, 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 because the property lies within the urban growth boundary and the zone change to LI is in conformance with the Industrial Comprehensive Plan designation. Operations of industrial developments are regulated to ensure minimal off-site impacts. At the time of a development proposal, a traffic impact study would need to be conducted to assess the specific uses proposed and identify any needed mitigation measures to ensure a safe transportation system. 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 responds to changes in the community. Specifically, the City has the opportunity to host the Oregon Manufacturing Innovation Center so the OMIC site and surrounding parcels need to be incorporated into the community via annexation. This proposal will support the City's changing needs related to attracting and creating employment opportunities. Section 17.22.040 (D) is satisfied.

*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.

*OMIC Annexation and Zone Change*

*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 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 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.*

*(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. Accordingly, the language of OAR 660-012-0060(9) is applicable as follows:

*(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.*

- (a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;*
- (b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and*
- (c) 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 amendment that accounted for urbanization of the area.*

**Finding:**

The City of Scappoose's Comprehensive Plan map designation for the subject property is Industrial. The proposed Light Industrial zoning is consistent with this plan, and the amendment will not change the Comprehensive Plan map. Subsection (a) is satisfied.

The City adopted an updated TSP on September 6, 2016 that is consistent with the proposed zoning. Subsection (b) is satisfied.

The area subject to the zoning map amendment was not exempted from the TPR at the time the City's urban growth boundary was expanded to include the annexation area. Accordingly, subsection (c) is also satisfied.

Since the provisions of the three subsections are met, the City can find that the proposed zone change and annexation does not significantly affect an existing or planned transportation facility, and the Transportation Planning Rule is satisfied. ODOT and DKS have concurred with this finding in their letters attached as **Exhibits 13 and 14**, noting that the TSP accounted for development in this location and the annexation/zone change is consistent with the TSP and the Comprehensive Plan.

Future development proposals will be required to provide traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. The mitigation strategies prompted by the results of the traffic

*OMIC Annexation and Zone Change*

analysis reports would be installed as conditions of development approval. Section 17.22.040 (E) is satisfied.

*Chapter 17.70 LI LIGHT INDUSTRIAL*

*17.70.030 Permitted uses.* *In the light industrial zone, activities 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 and services including uses customarily carried on outdoors except slaughterhouses, tanneries or rendering plants;*
- B. Animal sales and service including auctions, kennels and veterinary;*
- C. Automobile and equipment sales, service and repair (new and used);*
- D. Bakeries;*
- E. Building maintenance services;*
- F. Building materials sales and service;*
- G. Caretaker dwelling;*
- H. Construction sales and services;*
- I. Home occupation (Type I) subject to Chapter 17.142, Home Occupations;*
- J. Laundry services;*
- K. Research services;*
- L. Retail facilities on sites greater than one hundred thousand square feet;*
- M. Manufacturing of finished products;*
- N. Manufacturing of components for use in finished products;*
- O. Packaging of previously processed materials;*
- P. Participation sports and recreation: indoor and outdoors;*
- Q. Processing and packing of food products;*
- R. Processing of previously processed materials for use in components or finished products;*
- S. Processing of materials for use in any construction or building trades;*
- T. Public support facilities;*
- U. Parking facilities;*
- V. Public safety services;*
- W. Transportation terminals and storage yards, provided that a five-foot landscaped perimeter setback surrounds all outdoor parking, all storage areas are buffered and screened in accordance with Chapter 17.100, Landscaping, Screening and Fencing, and all repair work is performed indoors;*
- X. Vehicle fuel/convenience sales;*
- Y. Wholesale, storage and distribution;*
- Z. Any permitted use on a temporary basis subject to Scappoose Municipal Code 17.128, Temporary Commercial and Industrial Uses;*
- AA. Wireless communications facilities, not to include antenna support structures, subject to the provisions of Chapter 17.93.*

**Finding:**

The OMIC research and development center falls within the permitted uses of *research services; manufacturing of finished products; and manufacturing of components for use*



*OMIC Annexation and Zone Change*

*in finished products.* Other uses within the annexation area include residences and heavy manufacturing, all of which are nonconforming. Future development of the site must conform to the list of permitted or conditional uses specified in this chapter. Section 17.70.030 is satisfied.

17.70.040 Conditional uses. *The following uses and their accessory uses may be permitted when authorized by the planning commission in accordance with the requirements of Chapter 17.130, Conditional Use, other relevant sections of this title and any conditions imposed by the planning commission:*

*[...]*

*H. Institutions of higher education, provided that the parcel size is 50 acres or less.*

**Finding:**

If OMIC expands to include educational components within the LI zone then the use could be authorized with a conditional use permit. Section 17.70.040 is satisfied.

17.70.040 Dimensional requirements.

- A. Unless otherwise specified, the minimum setback requirements are as follows:*
  - 1. The front yard setback shall be a minimum of twenty feet;*
  - 2. On corner lots the minimum setback for the side facing the street shall be five feet;*
  - 3. On through lots, the front and rear setback shall be a minimum of twenty feet;*
  - 4. No additional side or rear yard setback shall be required except fifty feet shall be required where abutting a residential zoning district and the planning commission may reduce this required yard setback by fifty percent pursuant to Chapter 17.100, Landscaping, Screening and Fencing.*
- B. No building shall exceed fifty feet in height. Within one hundred feet of a residential zone, no building shall exceed thirty-five feet in height.*
- C. All outside storage areas require buffering and screening as defined in Chapter 17.100, Landscaping, Screening and Fencing.*
- D. Additional requirements shall include any applicable section of this title.*

**Finding:**

Figure 8 within the applicant's narrative (**Exhibit 2**) assesses the setbacks of the existing uses and concludes that the existing structures would meet the LI setback requirements; however, it should be noted that the City is annexing the properties in their current status and would not require structure relocation even if dimensional requirements were not met. Existing buildings are under fifty feet tall. The heavy manufacturing operations on Tax Lots 600, 601, and 603 do not meet the City's buffering and screening requirements so upgrades may be required by the City at the time of site modification or redevelopment. Section 17.70.050 is satisfied.

Chapter 17.132 NONCONFORMING USE

*OMIC Annexation and Zone Change**17.132.010 Continuation of nonconforming uses and structures.*

*Except as otherwise provided, the use of a building, structure, premises or land lawfully existing at the time of the effective date of this title or at the of a change in the official zoning maps may be continued and maintained in reasonable repair, although such use does not conform with the provisions of this title.*

**Finding:**

The residences and heavy manufacturing facilities on Tax Lots 600, 601, 603, 800, 1000, and 1100 are nonconforming in the Light Industrial zone. However, as the uses were established pursuant to Columbia County zoning prior to annexation they are allowed to continue. Section 17.132.010 is satisfied.

*17.132.030 Alteration of nonconforming use or structure. As used in this section, "alteration" of a nonconforming use or structure including a change in use of structure of no greater adverse impact to the neighborhood.*

- A. *Minor Alteration. A proposal for the alteration of fifteen percent or less of the gross building volume of a nonconforming use or structure may be approved by the city manager and the planner as a minor variance.*
- B. *Major Alteration. A proposal for the alteration greater than fifteen percent of the gross building volume of a nonconforming use may be approved by the planning commission subject to the provisions for conditional use permits.*

**Finding:**

Future alterations to existing nonconforming use would be subject to the minor alteration or major alteration review policies outlined herein. The annexation by itself does not require minor or major alteration review. Section 17.132.030 is satisfied.

*Chapter 17.136 ANNEXATIONS**17.136.020 Policy.*

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

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



**Finding:**

The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed. The annexation's location is adjacent to West Lane Road and near Highway 30 and contributes to a logical service area and clear identification of the City. Revenues from the area are anticipated to cover the cost of providing services, especially factoring in the employment that could occur on site as a result of OMIC.

Annexation will allow the City to manage growth and alleviate an immediate need for industrial-employment property within the City limits. 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 site can be served by urban services provided that the applicant installs utilities to serve the site and constructs the necessary roadway improvements in conjunction with future development and in conformance with the TSP. The City has included recommended Conditions of Approval to ensure that adequate utilities are constructed prior to development of the site, and in conformance with all applicable regulations. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

- A. The decision to approve, approve with modifications or deny, shall be based on the following criteria:*
- 1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;*

**Finding:**

Existing municipal police services can be made available to the site immediately. The property is already located within the Scappoose Rural Fire District, the Scappoose School District, and the Scappoose Library District. Telephone and electric services are already provided to these properties. The annexation area fronts on West Lane Road and has easement access to Crown Zellerbach Road.

*OMIC Annexation and Zone Change*

Conceptual public utility plans are included in **Exhibit 3**. Water and sewer service can be made available to the site; water is available immediately from West Lane Road and sewer could be provided with necessary extensions from Wagner Court (though additional upgrades may be necessary to serve the entire annexation area). When site development review or subdivision is proposed, utility needs will be analyzed in more detail. The City is currently updating its water and sewer master plans, which will further inform analysis of any needed infrastructure upgrades for conveyance or treatment.

The proposed annexation area currently drains into the existing gravel pit, which is in the process of being reclaimed. It is proposed for this area and the balance of the Scappoose Sand and Gravel Pit to flow into the pit. A portion will be left so the water surface is exposed. The applicant's narrative indicates that as part of a future annexation and development, a regional, public storm water treatment area will be provided to serve the entire area tributary to the pond (see **Exhibit 3D**).

Water and sewer service can be made available to the site when the applicant extends the water and sewer lines. However, certain services and facilities may not have sufficient capacity to provide service for the full build out of the proposed annexation area. Development, however, is expected to occur in phases allowing for the construction of utility infrastructure over time.

City Staff consulted with Carollo Engineers who are currently working on the waste water and water master plans to help identify more specific information (see **Exhibit 16**) for the findings and conditions that, if adopted, would provide reasonable assurances that development in the annexed area adequately addresses these service and facility deficiencies. These findings and conditions support a conclusion that it is feasible to provide capacity and extend services and facilities so as to permit development to occur.

Sewer conveyance and treatment: The applicant is proposing to utilize a temporary pump station for the initial phase of the project, the development and/or redevelopment of the OMIC site and then build a municipal sewer pump station and public force main for future development of the remaining parcels. Based on the memo from Carollo Engineers, the pump will need to be sized to convey both the OMIC annexation area and future regional flows, approximately 500 GPM. The pump station may be built to its full capacity or could be designed to expand as regional development occurs. The Carollo memo further indicates that the 8-inch sewer conveyance line between the east end of Wagner Court and tie-in to 21-inch sewer line, approximately 600-LF of 8-inch mainline will potentially surcharge and require upsizing to 12-inch. Since it is unknown how full buildout will occur in the annexation area or parcels to the north, the City will review and require upsizing as a condition of approval at the time development occurs or assurance of upsizing within a reasonable period is provided by the applicant, working with the City, to adequately convey waste.

Similarly, the memo from Carollo indicates that the City's existing sewer treatment facility is nearing capacity and needs various upgrades in order to accommodate the expected five year sewer flows. However, due to the relatively small (~5%) contribution

*OMIC Annexation and Zone Change*

to the total sewer flow during the 5-yr, Phase I Capital Improvement Project (CIP) period, the City finds that there is sufficient variation in the analysis to waive these recommendations.

Water supply and storage: The Carollo memo (**Exhibit 16**) indicates that the City will require additional supply to meet future growth which is consistent with the applicant's suggested conditions of approval (**Exhibit 2, pg. 30**) that one additional well should be provided at the time of development. Carollo Engineers recommends that a new well with supply line to the Miller Road treatment plant be constructed to utilize the 300 GPM of available treatment capacity.

The Carollo memo notes that although the low zone provides sufficient storage to meet the required fire flows, the OMIC annexation should contribute only the operational volumes consistent with the current 3 times average day demand (ADD) or 175,000 gallons. Since storage tanks at this size do not provide any economies of scale and provide no opportunity for additional growth the City has drafted conditions to accept funds proportionate to this cost for City construction of a larger tank.

Since the final master plan analysis may yield further information regarding the water treatment and supply deficiencies and recognizing that adequate water is critical to public health and safety in the annexed area and the City as a whole, the Applicant must assure that it is addressing its consumption of water treatment capacity and provides or assures an adequate water supply.

Accordingly, to comply with Section 17.136.040(A).1, and to support a conclusion that services and facilities have sufficient capacity to provide service for the proposed annexation area, staff recommends that the following conditions of approval be attached to approval of this land use application for annexation:

1. The owners shall construct a public sanitary sewer pump station and force main to convey both the OMIC annexation area and future regional flows, approximately 500 gpm, and connect to the sanitary sewer system in Wagner Court. The pump station may be built to its full capacity initially or could be designed to expand as regional development occurs. The owners shall be responsible for securing any necessary easements to cross private property.
2. The owners shall construct a municipal well with approximately 300 gpm capacity and transmission line as needed to connect to the City's treatment plant at Miller Road, at a site approved by the City.
3. The owners shall construct a municipal water storage tank, at a site approved by the City, with approximately 175,000 gallon capacity or funds proportionate to the cost for City construction of a larger tank.
4. The owners may defer construction of the improvements outlined in Conditions 1, 2 and 3 if each property owner within the annexed area executes a Consent and Waiver

*OMIC Annexation and Zone Change*

of right to remonstrate or object to formation of a local improvement district and assessments to fund construction of the improvements outlined in Conditions 1, 2, and 3. The Waiver of Remonstrance is attached as **Exhibit 17**. As stated within the waiver, this requirement to participate in the funding or construction of said improvements shall not apply to Tax Lots 800, 1000, or 1100. Such agreement shall waive remonstrance with regards to the City's formation of a local improvement district (LID) for the improvements, in the event the City undertakes construction of the improvements. Other options for funding the improvements exist, including establishing an Advance Financing Improvement District.

5. Public facilities and services provided by the owners or city in the annexed area shall be sized and located so as to reasonably accommodate future annexation of properties.
6. No development shall be approved unless the land use review authority determines that the applicant has assured or provided adequate facilities and services in accordance with City Code, including but not limited to Scappoose Development Code 17.154.090(D), and 17.154.105.

The projected sewer flows and water demand and required storage have not been identified and are estimations based on build out scenario, which may or may not reflect actual usage at the time of development. The applicant will need to review the current Wastewater Master Plan and Water Management and Conservation Plan, or any other applicable data, to determine specific utility improvements needed to accommodate full buildout. 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 will be analyzed at the time of a development proposal since the applicant will be required to submit a Traffic Impact Analysis and to comply with any mitigation deemed necessary to ensure safety. Section 17.136.040(A).2 is satisfied.

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

**Finding:**

This annexation would provide an additional 52 acres for industrial development and long-term employment, and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Annexation of industrial land in



*OMIC Annexation and Zone Change*

general and the OMIC site in particular would stimulate economic development in conformance with the vision within the EOA. 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 along the entire eastern annexation area boundary. Utility services will need to be extended at the developer's expense, but can be provided in an efficient way with the adoption of the recommended conditions of approval. Police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site will have convenient access to Highway 30 via West Lane Road and Crown Zellerbach Road. The subject site is close to existing industrial 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. Increasing the industrial land supply will benefit the City by providing employment opportunities and satisfying the immediate need for industrial land. Section 17.136.040(A).4 is satisfied.

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

<b><i>Comprehensive Plan</i></b>	<b><i>Zoning Classification</i></b>
<i>SR</i>	<i>R-1, Low Density Residential</i>
<i>GR</i>	<i>R-4, Moderate Density Residential</i>
<i>MH</i>	<i>MH, Manufactured Home Residential</i>
<i>C</i>	<i>EC, Expanded Commercial</i>
<i>I</i>	<i>LI, Light Industrial</i>
<i>AE</i>	<i>PUA, Public Use Airport</i>

**Finding:**

The site has a Comprehensive Plan designation of I, Industrial. Upon annexation, the entire site would automatically be zoned LI, Light Industrial. Section 17.136.070 is satisfied.

17.136.080 Annexation of non-conforming uses. *When a nonconforming use (including a billboard) is annexed into the city, the applicant shall provide a schedule for the removal of the non conforming use for the planning commission and city council. At the time of approval of the annexation, the city council may add conditions to ensure the removal of the non conforming use during a reasonable time period. The time period may vary from one year to ten years at the discretion of the city council.*



*OMIC Annexation and Zone Change***Finding:**

This section provides authority for City Council to impose a condition requiring removal of nonconforming uses within a specified timeframe. In the narrative response and in the written comment submitted by Irving Potter (**Exhibits 2 and 15**), the applicant and Mr. Potter propose that the existing nonconforming uses remain until such time as they are redeveloped in accordance with the LI zone. The City's general policy has previously been to annex nonconforming properties as-is and allow them to remain in their current uses; accordingly, staff has not recommended a specific removal timeframe for City Council's consideration. Furthermore, staff has included a recommended Condition of Approval to allow the non-conforming uses to remain until such time that they are redeveloped or abandoned. Section 17.136.080 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 applicant has requested the concurrent review of Annexation and Zone Change applications. The Planning Commission will make a recommendation to the City Council regarding the applicant's request. Based on the submitted materials and the staff report, the applicant's proposal complies with the City's Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

**RECOMMENDATION**

Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, staff recommends that the Planning Commission recommend **APPROVAL** of application ANX1-17/ZC1-17 by the City Council subject to the following Conditions of Approval:

1. The owners shall construct a public sanitary sewer pump station and force main to convey both the OMIC annexation area and future regional flows, approximately 500 gpm, and connect to the sanitary sewer system in Wagner Court. The pump station may be built to its full capacity initially or could be designed to expand as

*OMIC Annexation and Zone Change*

- regional development occurs. The owners shall be responsible for securing any necessary easements to cross private property.
2. The owners shall construct a municipal well with approximately 300 gpm capacity and transmission line as needed to connect to the City's treatment plant at Miller Road, at a site approved by the City.
  3. The owners shall construct a municipal water storage tank, at a site approved by the City, with approximately 175,000 gallon capacity or funds proportionate to this cost for City construction of a larger tank.
  4. The owners may defer construction of the improvements outlined in Conditions 1, 2 and 3 if each property owner within the annexed area executes a Consent and Waiver of right to remonstrate or object to formation of a local improvement district and assessments to fund construction of the improvements outlined in Conditions 1, 2, and 3. The Waiver of Remonstrance is attached as **Exhibit 17**. As stated within the waiver, this requirement to participate in the funding or construction of said improvements shall not apply to Tax Lots 800, 1000, or 1100. Such agreement shall waive remonstrance with regards to the City's formation of a local improvement district (LID) for the improvements, in the event the City undertakes construction of the improvements. Other options for funding the improvements exist, including establishing an Advance Financing Improvement District.
  5. Public facilities and services provided by the owners or city in the annexed area shall be sized and located so as to reasonably accommodate future annexation of properties.
  6. No development shall be approved unless the land use review authority determines that the applicant has assured or provided adequate facilities and services in accordance with City Code, including but not limited to Scappoose Development Code 17.154.090(D), and 17.154.105.
  7. Nothing in these conditions of approval preclude the property owners or an applicant for development from proposing alternative or additional options for providing necessary facilities and services. The City, property owners and applicants shall work together to identify solutions. Nothing in this condition precludes or limits the land use application review authority from imposing additional or alternative conditions of approval as permitted by City Code and applicable law, or as identified in updated Wastewater and Water Master Plans.
  8. These conditions shall be recorded against each annexed parcel and shall run with the land, binding the successors and assigns of the current owners. These conditions may be modified by the City in accordance with an appropriate land use decision.

*OMIC Annexation and Zone Change*

9. The owner of each annexed parcel (with the exception of the owners of Tax Lots 800, 1000 and 1100) shall record the waiver (**attached as Exhibit 17**) in the deed records of Columbia County, Oregon within 45 days of the adoption of the ordinance approving the annexation, but after the LUBA appeal period has expired.
10. The non-conforming uses (Cascade Concrete, Baker Rock and the residential uses) shall be allowed to be maintained without the imposition of transportation mitigation measures or the uses being revoked, until such time that the properties are redeveloped and the non-conforming uses are abandoned. Future development must conform to the requirements of the zoning district.

ANX1-17/ZC1-17

# Vicinity Map for OMIC Annexation & Zone Change

Location: East of Highway 30, north of Crown Zellerbach Road & west of West Lane Road

Columbia County Assessor Map 3201-D0, Tax Lots 600, 601, 602 (portion), 603, 604, 605, 606, 800, 1000, & 1100



Scappoose GIS

## Legend

- Streets
- Taxlots
- Site



0 250 500 1,000 Feet





Application

# **Annexation & Zone Change**

*For The*

**Oregon Manufacturing Innovation Center**

33619 Crown Zellerbach Road. E.

Scappoose, Oregon

Prepared for

**Oregon Institute of Technology**



*Submitted May 10<sup>th</sup>, 2017*

*Revised June 20<sup>th</sup>, 2017*



## TABLE OF CONTENTS

<b>Table of Contents .....</b>	<b>2</b>
<b>Project Information .....</b>	<b>5</b>
<b>Application.....</b>	<b>6</b>
<b>I. Background &amp; Request .....</b>	<b>8</b>
<b>II. Overview .....</b>	<b>9</b>
Letter of Map Removal (LOMR-F – Casefile # 17-10-0355a) .....	10
Authority: City of Scappoose Development Code - Chapter 17.136.020 – Annexations .....	11
Proposed Oregon Institute of Technology (O.I.T.) First Phase Development .....	12
<b>III. Compliance With 17.22 – Amendments To The Title, Comprehensive Plan &amp; Maps .....</b>	<b>14</b>
17.22.040 Approval Criteria .....	14
Transportation Planning Rule OAR 660 Division 12 – Transportation Planning.....	15
<b>IV. Compliance With Applicable City Code – Section 17.70 – Light Industrial .....</b>	<b>17</b>
17.70.010 Purpose .....	17
17.70.030 Permitted Uses .....	17
17.70.040 Conditional Uses .....	20
17.70.050 Dimensional Requirements .....	20
<b>VI. Compliance With Environmental Performance Standards – Section 17.90.....</b>	<b>22</b>
17.90.010 Purpose .....	22
17.90.020 General Provisions .....	22
17.90.030 Noise .....	22
17.90.040 Visible Emissions .....	23
17.90.050 Vibration .....	23
17.90.060 Odors.....	23
17.90.070 Glare and Heat .....	23
17.90.080 Insects and Rodents.....	24
17.90.090 Electrical/Electronic Interference .....	24
<b>VII. Compliance With Non-Conforming Uses – Section 17.132.....</b>	<b>25</b>
17.132.010 Continuation of Non-Conforming Uses and Structures.....	25
17.132.020 Vested Rights .....	25
17.132.030 Alteration of Non-Conforming Use or Structure .....	25
17.132.040 Restoration of Non-Conforming Uses.....	26
17.132.050 Discontinuance .....	26
17.132.060 Criteria to Grant or Deny .....	26

## Table of Contents (Continued)

17.132.070 Compliance with State and Local Codes.....	26
<b>VIII. Compliance With Annexations – Section 17.136 .....</b>	<b>27</b>
17.136.010 Purpose .....	27
17.136.020 Policy.....	27
17.136.040 Approval Standards.....	28
17.136.070 Zoning Upon Annexation .....	32
17.136.080 Annexation of Non-Conforming Uses.....	32
<b>IX. Compliance With Section 17.162 – Procedures For Decision Making – Quasi- Judicial.....</b>	<b>35</b>
17.162.010 Purpose .....	35
17.162.020 Application process.....	35
17.162.021 Consolidation of proceedings.....	36
17.162.025 Noticing requirements.....	37
17.162.090 Approval Authority Responsibilities .....	37
17.162.140 Decision Process .....	38
<b>X. Compliance With Relevant Section of the Comprehensive Plan .....</b>	<b>39</b>
Urban Growth Boundary – Goals & Policies .....	39
Public Facilities & Services – Goals & Policies.....	40
Economics – Goals & Policies.....	43
Transportation – Goals & Policies.....	46
General Goals of the City of Scappoose for Land Use .....	49
Industrial Lands – Goals & Policies .....	51
Hazard Areas – Goals & Policies .....	53
<b>XI. Conformance With Statewide Planning Goals .....</b>	<b>56</b>
Goal 1: Citizen Involvement .....	56
Goal 2: Land Use Planning .....	56
Goal 3: Agricultural Lands .....	57
Goal 4: Forest Lands.....	57
Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources .....	57
Goal 6: Air, Water, and Land Resource Quality .....	58
Goal 7: Areas Subject to Natural Disasters and Hazards .....	58
Goal 8: Recreational Needs.....	58
Goal 9: Economy of the State .....	58
Goal 10: Housing.....	60
Goal 11: Public Facilities and Services .....	60
Goal 12: Transportation .....	60
Goal 13: Energy.....	61
Goal 14: Urbanization .....	61

## Table of Contents (Continued)

### **Tables**

Figure 1: Proposed Tax Lots to be Annexed to the City of Scappoose .....	8
Figure 2: Vicinity Map .....	9
Figure 3: Flood Hazard Map .....	10
Figure 4: Current Columbia County Zoning .....	11
Figure 5: Surrounding City of Scappoose Zoning .....	12
Figure 6: Proposed Oregon Institute of Technology (O.I.T) First Phase Development .....	13
Figure 7: Properties Proposed to be Annexed and Zoning Conformance .....	18
Figure 8: Setback Analysis .....	21
Figure 9: Land Use Zoning Classification .....	32
Figure 10: Proposed Zoning Designations .....	33
Figure 11: Columbia County Zoning Map .....	51
Figure 12: Projected Land Need in Scappoose, 2010-2030 (Net & Gross Acres) .....	59

### **XII. Plans**

Plan A: Context and Zoning Plan  
Plan B: Conceptual Development Plan  
Plan C: Proposed Sanitary Sewer Plan  
Plan D: Proposed Storm Sewer Plan  
Plan E: Proposed Water System Plan

### **XIII. Appendices**

Appendix A: TPR Analysis  
Appendix B: Legal Description/ Map of Properties to be Annexed  
Appendix C: Proposed Partition Plat – Tax Lot 602  
Appendix D: Partition Plat – 2007-10  
Appendix E: LOMR-F Documents  
Appendix F: Property Owner’s signed Petition for Annexation  
Appendix G: Map & List of Property Owners Within 300 Feet of Annexation Area  
Appendix H: Floodplain Boundaries  
Appendix I: Existing & Proposed Zoning

## **PROJECT INFORMATION**

- **Purpose of Application:**

The Applicant, Oregon Institute of Technology (O.I.T.) is requesting approval of the following:

- Type IV Annexation of properties into The City of Scappoose
- Type IV Zone Change from Columbia County M-I to City L-I zoning

- **Subject of Application:**

Annexation of ten tax lots including the following: 3N2W 1D0 602 (a portion thereof), 3N2W 1D0 606, 3N2W 1D0 605, 3N2W 1D0 604, 3N2W 1D0 800, 3N2W 1D0 1000, 3N2W 1D0 1100, 3N2W 1D0 603, 3N2W 1D0 600 and 3N2W 1D0 601 currently in Columbia County, Oregon.

- **Zoning:**

- Current Zoning – Columbia County ▪ M-I Heavy Manufacturing
- Proposed Zoning – City of Scappoose ▪ Light Industrial L-I

- **Property Owners:**

- Tax Lot 1100 – Jeffrey & Arisu Masog
- Tax Lot 1000 – Dana J. Parker
- Tax Lot 800 – Dana J. Parker
- Tax Lot 600 – Travis Garske (Cascade Concrete)
- Tax Lot 601 – Travis Garske (Cascade Concrete)
- Tax Lot 602 – Scott T. Parker
- Tax Lot 603 – Baker Rock Crushing Company
- Tax Lot 604 – Laurel heights, LLC
- Tax Lot 605 – State of Oregon (O.I.T.)
- Tax Lot 606 – State of Oregon (O.I.T.)

- **Applicant:**

Oregon Institute of Technology - 27500 SW Parkway Ave, Wilsonville, OR 97070  
Contact: Mike Myers – [mike.myers@oit.edu](mailto:mike.myers@oit.edu) ▪ (615) 517-4843

- **Applicant's Representative:**

Project Delivery Group, LLC – 3772 Portland Road NE ▪ Salem, OR 97301  
Contact: Keith Whisenhunt, PE ▪ (503) 364-4004 ▪ [keithw@pdgnw.com](mailto:keithw@pdgnw.com)  
Contact: Mark B. Ferris, RLA ▪ (503) 939-3723 ▪ [markf@pdgnw.com](mailto:markf@pdgnw.com)



**APPLICATION**



**Scappoose Planning Department**  
33568 E. Columbia Ave. Scappoose, OR 97056  
Phone: 503-543-7184 Fax: 503-543-7182  
[www.ci.scappoose.or.us](http://www.ci.scappoose.or.us)

**ANNEXATION APPLICATION**

**NOTICE TO APPLICANT:** On original application form, please print legibly using black/dark blue ink or type. Applicants are advised to review the list of submittal requirements and recommendations indicated on each land use application form and in the applicable code section prior to submitting an application. When applicable, applicants are also advised to schedule a pre-application meeting with staff prior to submitting final application. **INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED UNTIL THE PLANNING DEPARTMENT RECEIVES ALL INFORMATION.**

**TRACKING INFORMATION** (For Office Use Only)

Application Submittal Includes:

☐ 8 Hard Copies Required

☐ Electronic Submittal

☐ Fee

File # \_\_\_\_\_ Hearing Date \_\_\_\_\_

**SITE LOCATION & DESCRIPTION**

Tax Map #(s) (See Attached) \_\_\_\_\_ Tax Lot #(s) (See Attached) \_\_\_\_\_

Frontage Street or Address 33619 Crown Zellerbach Road E., Scappoose, OR

Nearest Cross Street West Lane Road

Current County Zoning M-1 City Comprehensive Plan Designation Industrial

Site Size 52.3 ☒ acres ☐ sq. ft. Dimensions Varies

**REASON FOR REQUEST** (If for utility connection, cite which utility.) \_\_\_\_\_

To annex the properties into the city for future development of the Oregon Manufacturing Innovation Center

**OWNERSHIP AND APPLICANT INFORMATION** (Property owner signature must be a wet-ink signature. If the property is under-going a change of ownership, proof of purchase or purchase contract must be provided if property owner of record is not the signing party.)

Property Owner(s): Name(s) State of Oregon

Business Name Oregon Institute of Technology

Mailing Address 27500 S.W. Parkway Avenue City Wilsonville State OR Zip 97070

Phone # (615) 517-4843 Fax # \_\_\_\_\_ Email Address mike.myers@oit.edu

Does the owner of this site also own any adjacent property? ☐ Yes ☒ No (If yes, please list tax map and tax lots)

Property Owner(s) Signature(s) \_\_\_\_\_ Date: 5-4-17

(If more than one property owner, please attach additional sheet with names and signatures.)


Last Revised: June 27, 2016

CONTINUED ON PAGE 2

1



Application (Continued)

**Applicant:** Name State of Oregon - Mike Myers  
Business Name Oregon Institute of Technology  
Mailing Address 27500 S.W. Parkway Avenue City Wilsonville State OR Zip 97070  
Phone # (615) 517-4843 Fax # \_\_\_\_\_ Email Address mike.myers@oit.edu  
Applicant's Signature  Date: 5-3-17  
Applicant's interest in property \_\_\_\_\_

**DETAILED SITE INFORMATION**

Are any of the following present on site? If so, please specify the number of acres and/or percentage of site affected.

Floodplain 44% Wetlands 0% Significant Natural Resources 2%

Cultural Resources 0% Airport Noise Contours 0% Slopes greater than 15% TBD

Water Provider: ☐ City of Scappoose ☒ Well

Does the site have access to a City street? ☒ Yes ☐ No (Please explain): Access from West Lane Road

Does the site have access to County road(s)? ☐ Yes ☒ No (Please explain): \_\_\_\_\_  
Crown Zellerbach and West Lane Roads are both city roads

Are there existing structures on the site? ☒ Yes ☐ No (If Yes, briefly explain future status of structures.) There are existing structures on the site which will remain pending build-out of the property

**STRUCTURES:** Are any of the following structures present on the site? (If so, please specify number)

<input type="checkbox"/> Single Family Residence(s) #: <u>2</u>	<input checked="" type="checkbox"/> Accessory Building(s) #: <u>1</u>
<input type="checkbox"/> Barn or Other Agricultural Building(s) #: <u>0</u>	<input type="checkbox"/> Commercial Building(s): <u>0</u>
<input checked="" type="checkbox"/> Industrial Building(s) #: <u>7</u>	<input type="checkbox"/> Other _____
<input type="checkbox"/> None	

**BUSINESSES:** Is any business being operated on the property to be annexed?

☒ Yes ☐ No (If Yes, describe) \_\_\_\_\_  
Cascade Concrete, Baker Rock Crushing, Proposed O.M.I.C. 1st Phase

**COMPLETENESS CHECK** (For Office Use Only)

Received by \_\_\_\_\_ Date \_\_\_\_\_  
Accepted as complete by \_\_\_\_\_ Date \_\_\_\_\_  
Additional reviews pending? ☐ Yes ☐ No If yes, File # \_\_\_\_\_  
Receipt # \_\_\_\_\_ Fee(s) Paid \_\_\_\_\_

Last Revised: June 27, 2016

2

## I. BACKGROUND & REQUEST

The subject property is located north of Crown Zellerbach Road and west of West Lane Road in Columbia County, Oregon. It is the site for the proposed *Oregon Manufacturing Innovation Center* – a unique and highly-regarded research campus / R&D facility and the first one of its kind in the United States.

The Applicant is requesting approval of this concurrent ***Annexation and Zone Change*** application to annex the identified properties into the City of Scappoose. The tax lots to be included in the application are 3N2W 1D0 602 (a portion thereof), 3N2W 1D0 606, 3N2W 1D0 605, 3N2W 1D0 604, 3N2W 1D0 800, 3N2W 1D0 1000, 3N2W 1D0 1100, 3N2W 1D0 603, 3N2W 1D0 600 and 3N2W 1D0 601. (See *Legal Description/ Map of Properties to be Annexed* in Appendix B.)



Figure 1: Proposed Tax Lots to be Annexed to the City of Scappoose



## II. OVERVIEW

The proposed annexation area is comprised of 52.3 acres. It is located southwest of the Scappoose Industrial Airport, east of Highway-30 and north of Crown Zellerbach Road in Columbia County within the City of Scappoose Urban Growth Boundary.

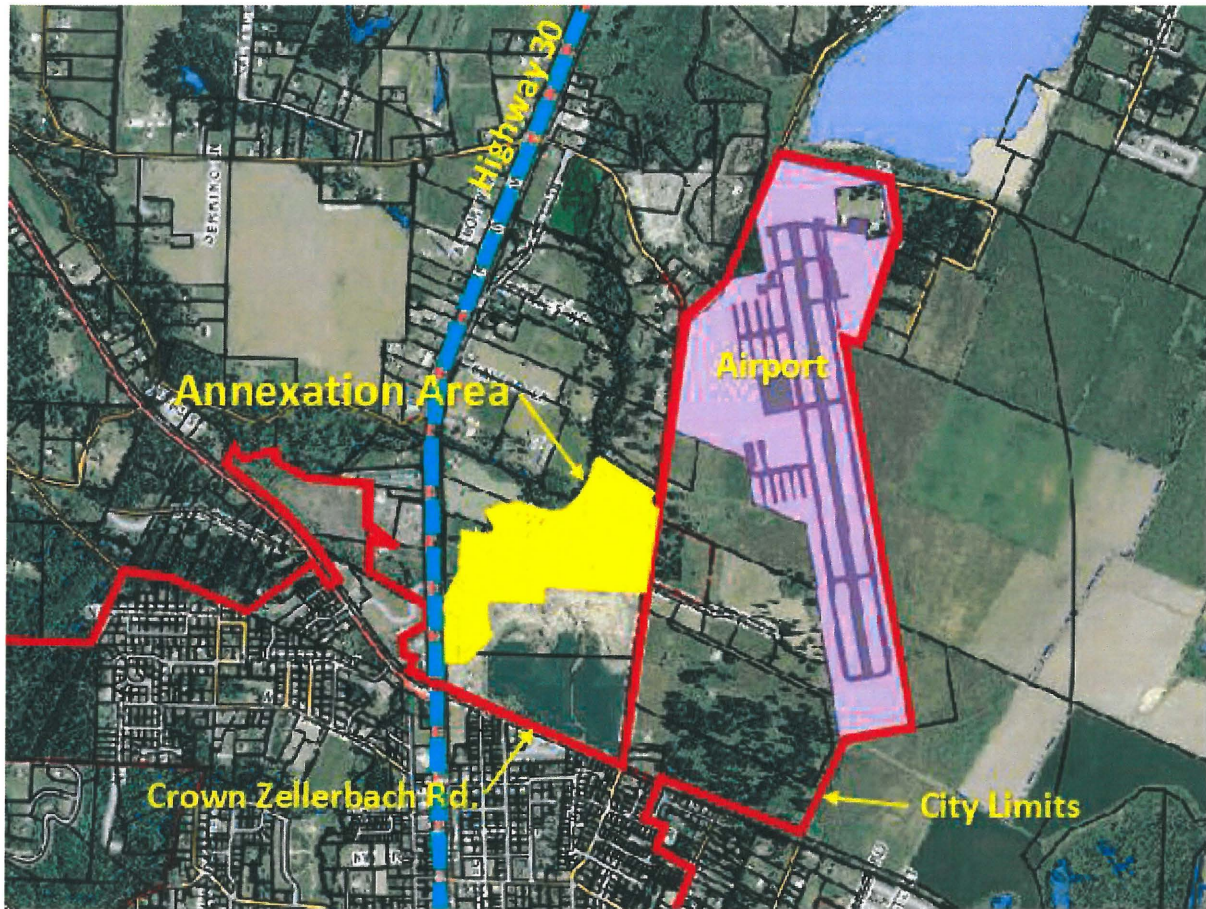


Figure 2: Vicinity Map

As shown on the Zoning Map (See *Current Columbia County Zoning* Figure 4 on Page 11) the property is currently zoned Heavy Manufacturing on the Columbia County Zoning Map and Industrial on the City of Scappoose Comprehensive Plan Map. It is the site of a former rock quarry and current fill operation, rock crushing and concrete pipe manufacturing operation. Three tax lots zoned Rural Residential are also party to this annexation request.

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.



**LETTER OF MAP REMOVAL (LOMR-F – CASEFILE # 17-10-0355A)**

According to the Flood Insurance Rate Map (FIRM) 41009C0463D, portions of the property were located inside of the 100-year flood plain. **A Letter of Map Removal** was issued by F.E.M.A. on December 19, 2016 and is included in the appendix of this application. (See *LOMR-F Documents* under Appendix E.) The document states,

*“This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply.”*

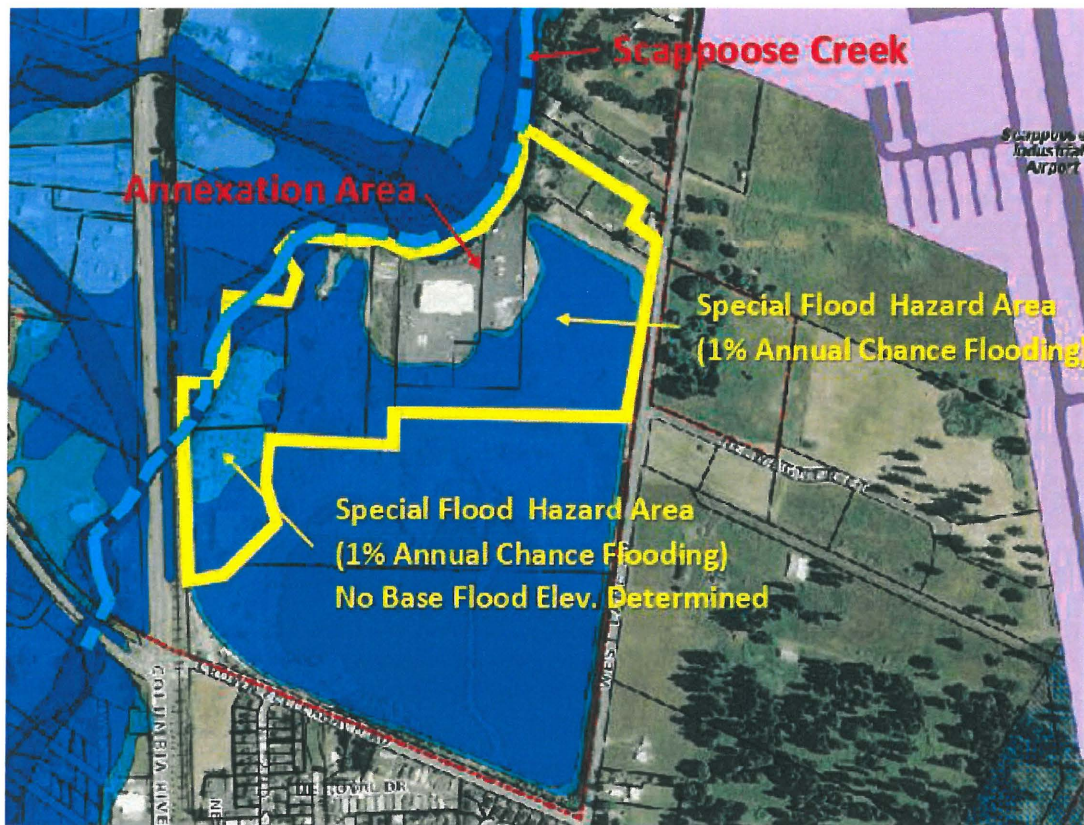


Figure 3: Flood Hazard Map

Pursuant to the city's request, an appendix showing the floodplain boundaries and the area removed through the LOMR-F is included in this application. (See *Floodplain Boundaries* in Appendix H.)

**AUTHORITY: CITY OF SCAPPOOSE DEVELOPMENT CODE - CHAPTER 17.136.020 – ANNEXATIONS**

Annexations shall be considered on a case-by-case basis, considering 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.

Note: Our survey research has shown that a Partition Plat (2007-10) was recorded on February 16, 2007 in which a portion of the subject property was partitioned into three lots. A copy of the Partition Plan is included in the appendix of this application. (See *Partition Plat – 2007-10* in Appendix D.)

In conjunction with the Annexation to the City of Scappoose, an application for a Partition Plat to separate out what is referenced as Tax Lot #602 has been submitted to Columbia County. Upon approval of the application the plat will be recorded. A copy of the partition Plat is included in this application.

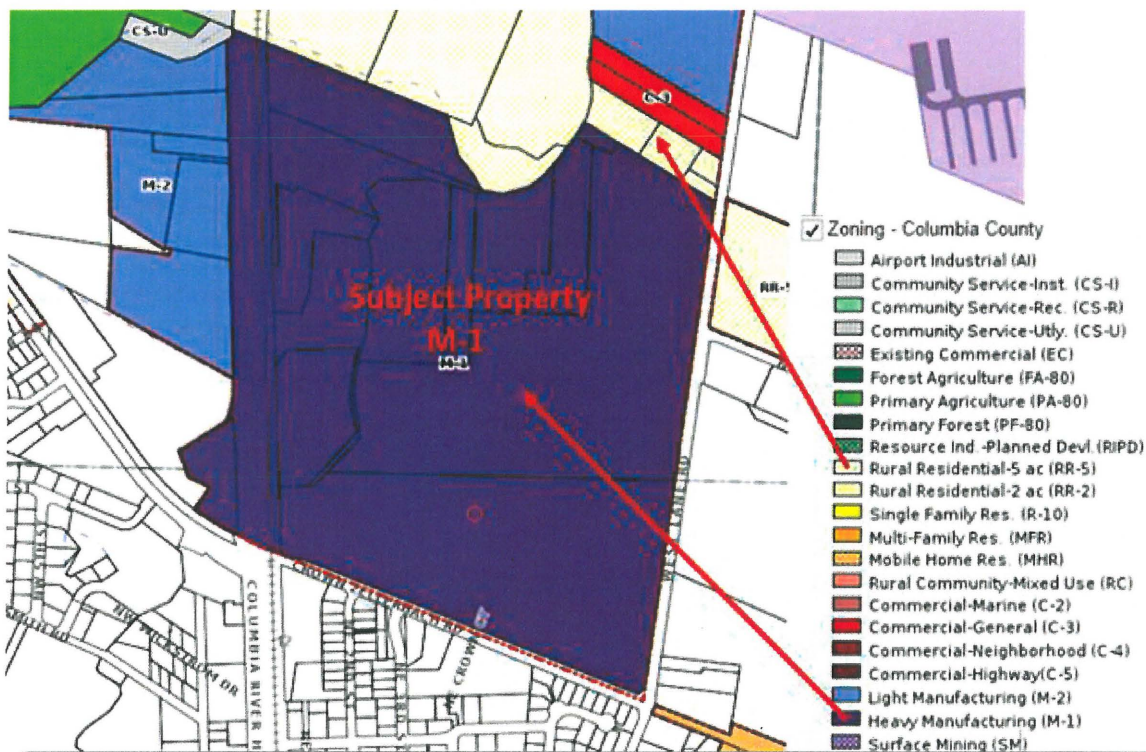


Figure 4: Current Columbia County Zoning



## II. Overview (Continued)

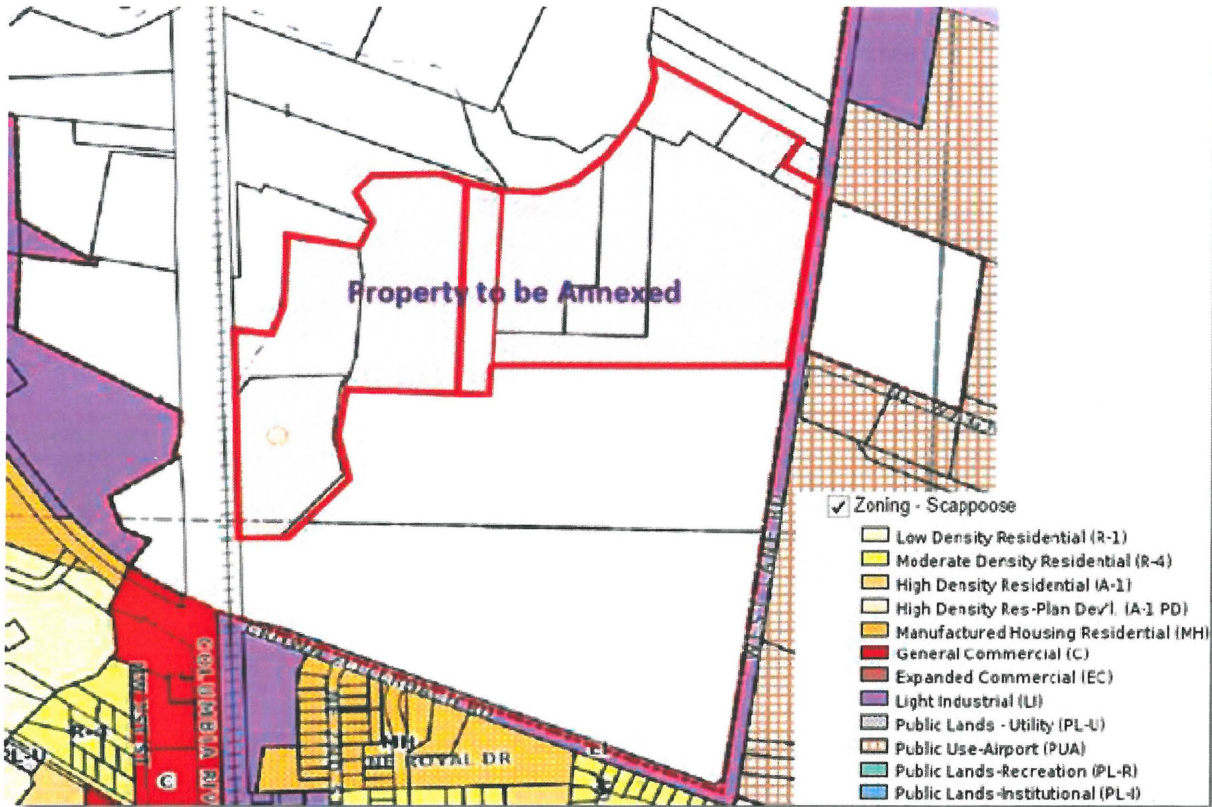


Figure 5: Surrounding City of Scappoose Zoning

### PROPOSED OREGON INSTITUTE OF TECHNOLOGY (O.I.T.) FIRST PHASE DEVELOPMENT

The catalyst for development in this area is the ***Oregon Manufacturing Innovation Center (O.M.I.C.)*** and its founding partners, the Boeing Company, the broader regional metals manufacturing industry and employers, Portland Community College, Portland State University, Oregon State University, Oregon Tech (O.I.T.), The Oregon legislature, the Office of the Governor, the Oregon Employment



Department, Business Oregon, Greater Portland, Inc., Columbia County and the City of Scappoose.

The combination of industry-driven research and development (R&D) and workforce training facilities make O.M.I.C. a distinguished economic asset for the area. Advanced manufacturing research activities from OSU, PSU and OIT are poised to begin. The Boeing Company, regional industrial partners

## II. Overview (Continued)

and Oregon research universities will serve as O.M.I.C's anchor tenants, providing a collaborative environment that accelerates innovative technologies, tools and techniques to directly increase the competitiveness of its member companies.

The business launch of OMIC will commence in 2017. Advanced manufacturing research activities from Oregon Tech, PSU, and OSU, and the seven industry partners are poised to begin in the OMIC R&D Center shortly after OMIC launch. The OMIC is leveraging the experience gained during the startup and evolution of the Advanced Manufacturing Research Centre (AMRC) in Sheffield, UK. The AMRC started with humble beginnings and a limited set of industry partners, it now boasts a 400-acre research and training campus with over 70 industry partners and annual revenues of \$100M. The University of Sheffield was a 3rd tier university prior to starting the AMRC. The university now enjoys a tier 1 reputation and associated revenue.

O.I.T. is currently in the process of applying for a Temporary Occupancy Permit with Columbia County to use the existing 33,000 sq. ft. building located on Tax Lot 605. Upon approval, this will allow O.M.I.C. to commence with its program.



Figure 6: Proposed Oregon Institute of Technology (O.I.T) First Phase Development



### **III. COMPLIANCE WITH 17.22 – AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN & 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.

**Applicant's Response:** The proposal does not involve an amendment to the Comprehensive Plan, however, 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. This criterion is met and Section 17.22.040 (A) is satisfied.

- B. The proposal is consistent with the comprehensive plan, the standards of this title, or other applicable implementing ordinances.

**Applicant's Response:** 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.

**Applicant's Response:** The proposed annexation is consistent with the Comprehensive Plan because the property lies within the City's urban growth boundary and the zone change from Columbia County M-1 to City of Scappoose L-I is in conformance with the Industrial designation on the Comprehensive Plan Map.

There has been much discussion centered around future traffic associated with the development of properties within the annexation area and associated traffic impacts. At the time of a specific development proposal, a traffic impact study would be required to assess the specific counts for uses proposed and the associated mitigation measures necessary to ensure a safe transportation system. 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.

**Applicant's Response:** The Applicant's proposal responds to changes in the community and will support the City's need related to attracting and creating new employment opportunities. Section 17.22.040 (D) is satisfied.

E. The amendment conforms to Section 17.22.050 - Transportation Planning Rule Compliance

**Applicant's Response:** This proposal complies with Section 17.22.050 – Transportation Planning Rule. The trip generation analyses and estimates traffic associated with the proposed annexation request results in less traffic than identified for the future year (2035) traffic volumes as discussed in the recently adopted City of Scappoose TSP 2016. This section of the TPR is not triggered and the requirements for this section are met.

**TRANSPORTATION PLANNING RULE OAR 660 DIVISION 12 – TRANSPORTATION PLANNING**

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

- A. 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);

**Applicant's Response:** The proposed annexation and zone change will not necessitate changes to the functional classification of existing or planned transportation facilities as the number of trips generated with the proposal are within the approved 2035 traffic volumes in the City of Scappoose TSP, adopted in 2016.

- b. Change standards implementing a functional classification system; or

**Applicant's Response:** The proposed annexation and zone change will not change any standards implementing the functional classification system as the number of trips generated with the proposal are within the approved 2035 traffic volumes in the City of Scappoose TSP, adopted in 2016.

- 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;

**Applicant's Response:** The proposed annexation and zone change will not inconsistent with the functional classification of existing and planned transportation facilities as the number of trips generated with the proposal are within the approved 2035 traffic volumes in the City of Scappoose TSP, adopted in 2016.

- 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

**Applicant's Response:** The proposed annexation and zone change will not degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP. The as the number of trips generated with the proposal are within the approved 2035 traffic volumes in the City of Scappoose TSP, adopted in 2016.

- 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.

**Applicant's Response:** The proposed annexation and zone change will not degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP. The number of trips generated with the proposal are within the approved 2035 traffic volumes in the City of Scappoose TSP, adopted in 2016.

It is acknowledged that each specific future development or redevelopment that results in additional traffic generation that exceeds the threshold for a Traffic Impact Analysis will be required to develop the analysis and identify appropriate mitigation measures.



#### **IV. COMPLIANCE WITH APPLICABLE CITY CODE – SECTION 17.70 – LIGHT INDUSTRIAL**

##### **17.70.010 PURPOSE**

The purpose of the light industrial zone is to:

- A. Provide appropriate locations for industrial use including light manufacturing and related activities with few, if any, nuisance characteristics such as noise, glare and smoke;
- B. To permit manufacturing, processing, assembling, packaging or treatment of produce or products from previously prepared materials; and
- C. To provide a wide variety of sites with good highway or rail access.

**Applicant's Response:** The proposed Oregon Manufacturing and Innovation Center will be designed to be an R & D campus which fits the criteria for light industrial zoning. There will not be any nuisance characteristics such as noise, smoke or glare. There is adequate access from Crown Zellerbach Road and Highway 30. This criterion is met.

##### **17.70.030 PERMITTED USES**

In the light industrial zone, activities are subject to Chapter 17.120, Site Development Review. The following uses and their accessory uses are permitted outright (only applicable permitted uses shown):

- Building materials sales and service;
- Research services;
- Manufacturing of finished products;
- Manufacturing of components for use in finished

Processing of previously processed materials for use in components or finished products;  
Wholesale, storage and distribution;

**Applicant's Response:** The properties proposed to be annexed as Light-Industrial uses include the following tax lots:

- Tax Lots 605 & 606 – Former JLI Service Building – a permitted use.
- Tax Lots 1100, 1000 and 800 – Current residential and a non-conforming use.
- Tax Lots 600, 601 and 603 – Current Heavy Manufacturing and a non-conforming use.
- Tax Lots 602, 604 and 606 are vacant.

#### IV. Compliance With Applicable City Code – Section 17.70 – Light Industrial (Continued)

As stated, the proposed future uses for the lots zoned Light Industrial include both research and manufacturing of finished product. This is in keeping with the intent of this zone and this requirement is met.

Note: The properties currently zoned RR-5 will be rezoned to Light Industrial and it is the property owner's intent to apply for a Comprehensive Plan Amendment and Rezone to an (as yet unspecified) multi-family use should this request for annexation be approved. It is the intent of the properties zoned Heavy Manufacturing (lots 600, 601 and 603) to continue with their current use until such time as they are re-developed at which time they will be brought into conformance with the Light-industrial zone. This criterion is met.

#### Zoning Conformance Analysis:

The following chart shows a breakdown of the properties proposed to be annexed and conformance with the requirements of this section:

Tax Lot	Current Use	Proposed L-I	Acreage
1100	Residential	X	2.14
1000	Residential	X	1.24
800	Residential	X	.32
602	Vacant		14.29
606	Vacant	C	4.78
605	Shop / Service	C	5.68
604	Vacant		2.98
603	Rock Crushing	X	9.23
601	Manufacturing	X	6.0
600	Manufacturing	X	5.64
		<b>TOTAL</b>	<b>52.30</b>
<b>C – Conforms with Existing Zoning    X – Does Not Conform</b>			

Figure 7: Properties Proposed to be Annexed and Zoning Conformance

#### IV. Compliance With Applicable City Code – Section 17.70 – Light Industrial (Continued)

Note: The property owners of tax lots 1100, 1000 and 800 have been advised that once their property is annexed, residential occupancy will become a non-conforming use. The residential use must be discontinued after a maximum of ten years however the exact time frame will be determined by the City Council.

**17.70.040 CONDITIONAL USES**

The following uses and their accessory uses may be permitted when authorized by the planning commission in accordance with the requirements of Chapter 17.130, Conditional Use, other relevant sections of this title and any conditions imposed by the planning commission:

**Applicant's Response:** There are no conditional uses proposed – this section is not applicable.

**17.70.050 DIMENSIONAL REQUIREMENTS**

- A. Unless otherwise specified, the minimum setback requirements are as follows:
  - 1. The front yard setback shall be a minimum of twenty feet;
  - 2. On corner lots, the minimum setback for the side facing the street shall be five feet;
  - 3. On through lots, the front and rear setback shall be a minimum of twenty feet;
  - 4. No additional side or rear yard setback shall be required except fifty feet shall be required where abutting a residential zoning district and the planning commission may reduce this required yard setback by fifty percent pursuant to Chapter 17.100, Landscaping, Screening and Fencing.
- B. No building shall exceed fifty feet in height. Within one hundred feet of a residential zone, no building shall exceed thirty-five feet in height.
- C. All outside storage areas require buffering and screening as defined in Chapter 17.100, Landscaping, Screening and Fencing.
- D. Additional requirements shall include any applicable section of this title.

**Applicant's Response:** The following chart shows a breakdown of the current and required setbacks for the properties proposed to be annexed. In each case the applicable setback criteria is met. The residential zoned properties (tax lots 1100, 1000 and 800) will meet the required setbacks when they are redeveloped in accordance with the Light-Industrial zoning standards.

There is only one building currently on tax lot 605 that will be used for the first phase of the O.M.I.C. development and the setbacks are shown in *Setback Analysis* in Figure 8. The current building is under 50-feet in height. All outside storage areas will comply with the buffer and screening requirements outlined in Chapter 17.100 where practical. The criterion for this section is met.



IV. Compliance With Applicable City Code – Section 17.70 – Light Industrial (Continued)

Setback Analysis:

Tax Lot	Status	Required Setbacks	Current Setbacks	Conforming Use	Non-Conforming Use
1100	Residential	Front – 15' Side – 5' Rear – 20'	Front - 190' Side - 18' Rear – 76'		X
1000	Accessory Bldg.	Side – 5'	Side – 5'		X
800	Residential	Front – 15' Side – 5' Rear – 20'	Front - 20' Side - 10' Rear – 113'		X
602	Vacant	N/A	N/A	N/A	N/A
606	Vacant	N/A	N/A	N/A	N/A
605	Structure	Front – 20' Side – 0' Rear – 20'	Front - 397' Side - 112' Rear – 108'	C	
604	Vacant	N/A	N/A	N/A	N/A
603	Structure	Front – 35' Side – 0' Rear – 0'	Front – (1) Side – 9' Rear – 368'		X
600	Structure 1	Front – 35' Side – 0' Rear – 0'	Front – (1) Side – 399' Rear – 44'		X
601	Structure 2	Front – 35' Side – 0' Rear – 0'	Front – (1) Side – 181' Rear – 123'		X

Residential

Lt. Industrial (L-I)

(1) No front Setback

Figure 8: Setback Analysis



## **VI. COMPLIANCE WITH ENVIRONMENTAL PERFORMANCE STANDARDS – SECTION 17.90**

### **17.90.010 PURPOSE**

The purpose of this chapter is to apply the federal and state environmental laws, rules, and regulations to all land use within the city.

### **17.90.020 GENERAL PROVISIONS**

- A. In addition to the regulations adopted in this chapter, each use, activity or operation within the city shall comply with the applicable state and federal standards pertaining to noise, odor and discharge of matter into the atmosphere, ground, sewer system, or stream. Regulations adopted by the State Environmental Quality commission pertaining to non-point source pollution control and contained in the Oregon Administrative Rules shall by this reference be made a part of this chapter.
- B. Prior to issuance of a building permit, the planner may require submission of evidence demonstrating compliance with state, federal and local environmental regulations and receipt of necessary permits including but not limited to: Air Contaminant Discharge Permits (ACDP), National Pollutant Discharge Elimination System Storm Water Discharge Permit (1200-c) or Indirect Source Construction Permits (ISCP).
- C. Compliance with state, federal and local environmental regulations is the continuing obligation of the property owner and operator.

**Applicant's Response:** This application is for annexation into the City of Scappoose. At such time as the property is developed, the Applicant will comply with the applicable state and federal standards pertaining to noise, odor and discharge of matter into the atmosphere, ground, sewer system, or stream. The Applicant will also obtain all required permits with respect to air contaminant discharge, drainage and erosion control (1200-C) and ISCP. This requirement will be met.

### **17.90.030 NOISE**

For the purposes of noise regulation, the provisions of the underlying zone and the current version of the Scappoose nuisance ordinance shall apply.

**Applicant's Response:** This application is for annexation only. The Applicant will comply with the intent of this section upon development of the property. This requirement will be met.

**17.90.040 VISIBLE EMISSIONS**

Within any zoning district, there shall be no use, operation or activity which results in a stack or other point source emission, other than an emission from space heating, or the emission of pure uncombined water (steam) which is visible from a property line. Department of Environmental Quality rules for visible emissions.

**Applicant's Response:** This application is for annexation only. The Applicant will comply with the intent of this section upon development of the property. This requirement will be met.

**17.90.050 VIBRATION**

No vibration which is discernible without instruments at the property line of the use concerned, other than that caused by highway vehicles, trains and aircraft, is permitted in any given zoning district.

**Applicant's Response:** This application is for annexation only. The Applicant will comply with the intent of this section upon development of the property. This requirement will be met.

**17.90.060 ODORS**

The emission of odorous gases or other matter in such quantities as to be readily detectable at any point beyond the property line of the use creating the odors is prohibited. DEQ rules for odors.

**Applicant's Response:** This application is for annexation only. The Applicant will comply with the intent of this ordinance. There will be no odorous gasses readily detectable at any point beyond the property line resulting from any proposed use from the properties being annexed. This requirement will be met.

**17.90.070 GLARE AND HEAT**

No direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, which is visible at the property line shall be permitted, and:

- A. There shall be no emission or transmission of heat or heated air which is discernible at the property line of the source; and
- B. These regulations shall not apply to signs or floodlights in parking areas or construction equipment at the time of construction or excavation work otherwise permitted by this title.

**Applicant's Response:** This application is for annexation only. The applicant will comply with the intent of this ordinance. There will be no direct or reflected glare from any floodlights (other than

parking lot or security lighting) or high temperature processes visible at the property line. This requirement will be met.

**17.90.080 INSECTS AND RODENTS**

All materials including wastes shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create a health hazard.

**Applicant's Response:** This application is for annexation only. The Applicant is very aware of the image that the Oregon Manufacturing Innovation Center would like to convey. As such all waste materials will be stored in appropriate receptacles and all grounds will be maintained so as to not create a health hazard. This requirement will be met.

**17.90.090 ELECTRICAL/ELECTRONIC INTERFERENCE**

Within any zoning district, there shall be no use, operation or activity which results in any off-site electrical or electronic interference.

**Applicant's Response:** This application is for annexation only. The Applicant will comply with the intent of this section upon development of the property. This requirement will be met.



## **VII. COMPLIANCE WITH NON-CONFORMING USES – SECTION 17.132**

### **17.132.010 CONTINUATION OF NON-CONFORMING USES AND STRUCTURES**

Except as otherwise provided, the use of a building, structure, premises or land lawfully existing at the time of the effective date of this title or at the of a change in the official zoning maps may be continued and maintained in reasonable repair, although such use does not conform with the provisions of this title.

**Applicant's Response:** As stated previously, there are three residential lots (tax lots 1100, 1000 and 800) that are currently zoned residential on the county zoning map. It is the Applicant's understanding that upon annexation, these tax lots will be rezoned to light-industrial zoning and will then become a non-conforming use. Until these lots are redeveloped, it is the Applicant's understanding that the residential use may be continued for a period as yet to be determined by the City Council as long as they are maintained in "reasonable repair."

### **17.132.020 VESTED RIGHTS**

Nothing in this title shall require any change in the plans, construction, alteration or designated use of a structure on which construction has physically, lawfully and substantially commenced prior to the adoption of this title, provided the structure is completed within two years from the issuance of the development permit.

**Applicant's Response:** Not applicable to this request.

### **17.132.030 ALTERATION OF NON-CONFORMING USE OR STRUCTURE**

As used in this section, "alteration" of a nonconforming use or structure including a change in use of structure of no greater adverse impact to the neighborhood. A. Minor Alteration. A proposal for the alteration of fifteen percent or less of the gross building volume of a nonconforming use or structure may be approved by the city manager and the planner as a minor variance. B. Major Alteration. A proposal for the alteration greater than fifteen percent of the gross building volume of a nonconforming use may be approved by the planning commission subject to the provisions for conditional use permits.

**Applicant's Response:** At this time, the property owners of tax lots 1100, 1000 and 800 do not have any plans to alter any of the structures on their respective properties. Should alterations be made, the property owners will comply with the intent of this section and seek approval. This criterion will be met.

**17.132.040 RESTORATION OF NON-CONFORMING USES**

The planner may approve, as an administrative variance, the restoration, reconstruction or replacement of a nonconforming use which is damaged by fire, flood, wind, earthquake or other calamity or act of God of the public enemy to an extent greater than sixty percent of the replacement value using new materials, provided that the restoration is commenced within a period of one year and is diligently prosecuted to completion. Single-family residential uses may be rebuilt by right provided such reconstruction is completed within one year of its destruction.

**Applicant's Response:** Not applicable to this request.

**17.132.050 DISCONTINUANCE**

If a nonconforming use involving a structure or property is discontinued from active use for a period of one year, any subsequent use of the property or structure shall be a conforming use. The planning commission may, however, permit a use for which the structure was originally designed or similar thereto, through the conditional use process.

**Applicant's Response:** The property owners agree that, should the property and its structures cease to be lived in for more than one year, any subsequent use of said properties shall be a conforming use. This requirement is met.

**17.132.060 CRITERIA TO GRANT OR DENY**

When reviewing any request to alter or restore a nonconforming use, in addition to the other applicable criteria, it shall be determined that all the following are found to exist: A. The nature and character of the proposed use are substantially the same as that for which the structure was originally designed; B. There is no material difference in the quality, character, intensity or degree of use; C. The proposed use will not prove materially averse to surrounding properties.

**Applicant's Response:** There are no plans to either alter or restore any of the structures on the non-conforming use properties. applicable to this request.

**17.132.070 COMPLIANCE WITH STATE AND LOCAL CODES**

The granting of any such approval shall not be deemed as providing any exception to all other state and local codes such as, but not limited to, fire and life safety, building or comprehensive plan implementing ordinances.

**Applicant's Response:** Not applicable to this request.



## **VIII. COMPLIANCE WITH ANNEXATIONS – SECTION 17.136**

### **17.136.010 PURPOSE**

The purpose of this chapter is to enact policies relating to annexation and petitions for annexation of property to the city, to determine the process and criteria by which annexations will be reviewed and approved, to provide for city review of all annexation requests for a determination of the availability of facilities and services as related to the proposal, and maximize citizen involvement in the annexation review process.

**Applicant's Response:** The purpose of this request is to facilitate the initial and future development of the Oregon Manufacturing Innovation Center. Our application meets the intent of this goal by providing a catalyst for urban growth which, in turn, supports job creation and optimal conditions of livability within the City of Scappoose and its urban growth area. This goal is met.

### **17.136.020 POLICY**

Annexations shall be considered on a case-by-case basis, considering 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.

**Applicant's Response:** The proposed annexation complies with the goals and policies of the Comprehensive Plan. The annexation's location is adjacent to West Lane Road to the east and Crown Zellerbach Road to the south and will contribute to the logical service area and clear identification of the City as reflected in its Urban Growth Boundary Map. Revenues from the annexation area are anticipated to cover the cost of providing essential services, especially factoring

in the employment that will occur on site as the result of the Oregon Manufacturing Innovation Center development.

Annexation of the area indicated will allow the City to manage growth and help to address current needs for industrial-employment property within the City limits. 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.

**Applicant's Response:** The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not adversely impact the city's ability to provide essential services or cause an unreasonable disruption of the current City boundary. The proposed annexation area can be served by existing urban services provided that the applicant installs and/or extends utilities to serve the site and constructs the necessary roadway improvements in conjunction with future development and in conformance with the TSP. At the time of individual parcel development, the City will provide recommended Conditions of Approval to ensure that adequate utilities are constructed and in conformance with all applicable regulations. Section 17.136.020(B) is satisfied.

#### **17.136.040 APPROVAL STANDARDS**

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

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

**Applicant's Response:** Existing municipal police services can be made available to the site immediately. The property is already located within the Scappoose Rural Fire District, the Scappoose School District, and the Scappoose Library District. Telephone and electric services are already provided to neighboring properties.



This narrative indicates that once a change in use or expansion of an existing use triggers a site development review or subdivision is proposed, utility needs will be analyzed, prioritized and constructed to serve the annexation area and in accordance with the city's master plans current at the time of design. West Lane Road is currently being improved between Wagner Court and Crown Zellerbach Road. This includes street, street lighting, and storm water management improvements. Water system improvements are already in place in this area, and sanitary sewer is not needed in West Lane Road. Crown Zellerbach Road is already improved to an urbanized, three lane typical section with water, street lights, and storm sewer improvements.

Storm water Management: The proposed annexation area currently drains into the existing gravel pit in the process of being reclaimed. It is proposed for this area and the balance of the Scappoose Sand and Gravel Pit to flow into the pit. A portion will be left so the water surface is exposed. As part of a future annexation and development, a regional, public storm water treatment area will be provided to serve the entire area tributary to the pond. This will be in the same general area as the sewer lift station. (See *Proposed Storm Sewer Plan* in Plan D.)

Potable Water Service: The existing annexation area has such a low water demand there is sufficient potable water available to serve the area currently proposed to be annexed. Potable water can be made available to the proposed annexation area when the applicants extend the water from West Lane Road to their site. This will result in a dead-end system. The water system will ultimately be looped within the Scappoose Sand and Gravel Pit area when the remaining portion is annexed and developed. The water system will also be tied into the line in Crown Zellerbach Road. (See *Proposed Water System Plan* in Plan E.)

Sanitary Sewer Treatment & Conveyance: The City Engineer has indicated that the City's existing sewer treatment facility is nearing capacity and needs various upgrades to accommodate the expected five-year sewer flows. The initial phase of the O.M.I.C. development, is so small and such a low water user, there is sufficient capacity in the conveyance and treatment system to accommodate this annexation. The proposed annexation area will be initially served by their existing on-site systems. Upon development and/or redevelopment, the area will be served with a temporary sewer lift station. The force main will connect to the sanitary sewer system in Wagner Court. As development occurs, the Applicants will be conditioned by the City to install a permanent, publicly-owner, sewer lift station and force-main which will connect to the existing system on the west side of West Lane Road and south of Wagner Court? (See *Proposed Sanitary Sewer Plan* in Plan C.)

The City is currently in the process of completing its Wastewater Master Plan update. As part of that process, the City will adopt funding mechanisms to address capacity issues identified in the Plan.

Water Supply and Storage: The city's existing water treatment facility currently has adequate capacity to handle the water demand generated by development in the annexed area. Anticipated development of this and adjacent proposed development, however, will consume much of this capacity. The City Engineer has indicated that the city does not have adequate water resources to meet demand at full buildout. Since adequate water treatment capacity and water supply is critical to public health and safety in the annexed area and the City as a whole, the Applicant must assure that it is addressing its consumption of water treatment capacity and provide assurances of an adequate water supply.

Accordingly, to comply with Section 17.136.040(A).1, and to support a conclusion that services and facilities have sufficient capacity to provide service for the proposed annexation area, the Applicant is providing the following conditions for staff's review and approval:

- A. Each property owner within the annexed area shall execute a Consent and Waiver of right to remonstrate or object to formation of a local improvement district and assessments to fund construction of a 30" sewer conveyance line to replace the existing 18" conveyance line in E Columbia Avenue between Bird Road and the City's Wastewater Treatment Plant, and a sewer lift station. Each property's proportionate share of the assessment shall be as determined in the engineering report prepared pursuant to SMC 3.04.030 and 3.04.040 as modified or approved by the City Council.
- B. Each property owner within the annexed area shall execute a Consent and Waiver of right to remonstrate or object to formation of a local improvement district and assessments to fund construction of one approximate 0.335 MGD (~233 GPM) potable water well and construction of a water mainline and pump house to convey the water to the City's Water Treatment Plant, and such other related facilities as deemed necessary. The water mainline and pump house are to be sized to accommodate a future well in the annexed area and to utilize the available treatment capacity at Miller Road, .79 MGD (550 GPD). Each property's proportionate share shall be as determined in the engineering report prepared pursuant to SMC 3.04.030 and 3.04.040, as modified or approved by City Council. The form of Waiver and Consent is attached. (See *Property Owner's signed Petition for Annexation* in Appendix F.)
- C. Public facilities and services provided by the owners or city in the annexed area shall be sized and located to reasonably accommodate future annexation of properties.
- D. No development shall be approved unless the land use review authority determines that the applicant has assured or provided adequate facilities and services in accordance with City Code, including but not limited to Scappoose Development Code 17.154.090(D), and 17.154.105.



- E. Nothing in these conditions of approval preclude the property owners or an applicant for development from proposing alternative or additional options for providing necessary facilities and services. The City, property owners and applicants shall work together to identify solutions. Nothing in this condition precludes or limits the land use application review authority from imposing additional or alternative conditions of approval as permitted by City Code and applicable law, or as identified in updated Wastewater and Water Master Plans.
  - F. These conditions shall be recorded against each annexed parcel and shall run with the land, binding the successors and assigns of the current owners. These conditions may be modified by the City in accordance with an appropriate land use decision.
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.

**Applicant's Response:** The proposed annexation is not expected to negatively affect 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 will be analyzed at the time that individual development proposals are submitted to the City. Each applicant will be required to submit a Traffic Impact Analysis and to comply with and address any mitigation deemed necessary to ensure public safety. Section 17.136.040(A).2 is satisfied.

3. The need for housing, employment opportunities and livability in the city and surrounding areas.

**Applicant's Response:** This annexation would provide an additional 52.3 acres of development creating long-term employment opportunities in conformance with the vision within the EOA. Additionally, it would also create temporary employment opportunities centered around the construction of streets, utilities, and structures and other infrastructure improvements. The owners of tax lots 1100, 1000 and 800 envision this property as multi-family use (assuming that a zone-change was granted by the city) which would help to address some of the housing needs of both students and employees of O.M.I.C. 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.

**Applicant's Response:** This site is contiguous to the existing City limits along the entire eastern annexation area boundary. All utility services will need to be extended at the developer's expense, but can be provided in an efficient way with the adoption of the recommended conditions of approval. Police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The proposed annexation area is close to

existing industrial 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. Increasing the industrial land supply will benefit the City by providing employment opportunities and satisfying the immediate need for industrial land. Section 17.136.040(A).4 is satisfied.

#### **17.136.070 ZONING UPON ANNEXATION**

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

17.136.070--17.136.080

<u>Comprehensive Plan Designation</u>	<u>Zoning Classification</u>
SR, Suburban Residential	R-1, Low Density Residential
GR, General Residential	R-4, Moderate Density Residential
MH, Manufactured Home	MH, Manufactured Home Residential
C, Commercial	EC, Expanded Commercial
I, Industrial	LI, Light Industrial
AE, Airport Employment	PUA, Public Use Airport

Figure 9: Land Use Zoning Classification

**Applicant's Response:** The site has a Comprehensive Plan designation of Industrial (I). Upon annexation, it is requested that the tax lots within the annexation area be allowed to adopt the following zoning designations as shown in Figure 10 *Proposed Zoning Designations*. Section 17.136.070 is satisfied.



## VIII. Compliance With Annexations – Section 17.136 (Continued)

Tax Lot	Current Use	Proposed L-I	Acreage
1100	Residential	X	2.14
1000	Residential	X	1.24
800	Residential	X	.32
602	Vacant		14.29
606	Vacant	C	4.78
605	Shop / Service	C	5.68
604	Vacant		2.98
603	Rock Crushing	X	9.23
601	Manufacturing	X	6.0
600	Manufacturing	X	5.64
		<b>TOTAL</b>	<b>52.30</b>
<b>C – Conforms with Existing Zoning X – Does Not Conform</b>			

Figure 10: Proposed Zoning Designations

**17.136.080 Annexation of Non-Conforming Uses**

When a nonconforming use is annexed into the city, the applicant shall provide a schedule for the removal of the non-conforming use for the planning commission and city council. At the time of approval of the annexation, the city council may add conditions to ensure the removal of the non-conforming use during a reasonable time period. The time period may vary from one year to ten years at the discretion of the city council.

**Applicant's Response:** As stated earlier, it is the property owner's intention to rezone the three properties to multi-family upon approval of the annexation request. The city has indicated that they are currently in the process of a Housing Needs Analysis and Buildable Lands Inventory. It is anticipated that the HNA will make significant changes to the Housing section of the city's Comprehensive Plan and will update/replace sections of our development code related to the residential zoning districts. This will allow for increased density in the city's A-1 zone and the property owner's consultant will write findings to justify the change during the application process. It is understood that the adoption of these changes is expected to be complete in August 2017, at

VIII. Compliance With Annexations – Section 17.136 (Continued)

which point the ordinance responsible for these changes would be effective 30 days after adoption. This data will be used by the property owner's consultant to write findings related to this change on the city's Comp Plan map. It is the intent of the properties zoned Heavy Manufacturing (Tax Lots 600, 601 and 603) to continue with their current use until such time as they are redeveloped at which time they will be brought into conformance with the city's Light-Industrial zone. This criterion is met.



## **IX. COMPLIANCE WITH SECTION 17.162 – PROCEDURES FOR DECISION MAKING – QUASI- JUDICIAL**

### **17.162.010 PURPOSE**

The purpose of this chapter is to establish procedures for the consideration of development applications, for the consideration of quasi-judicial comprehensive plan or zoning amendments and for appeal of quasi-judicial decisions.

### **17.162.020 APPLICATION PROCESS**

- A. The applicant shall be required to meet with the planner for a pre-application conference. Such a requirement may be waived in writing by the applicant.

**Applicant's Response:** The pre-application conference was held on February 22<sup>nd</sup> at Scappoose City Hall.

- B. The planner will invite city staff from other departments to provide technical expertise applicable to the proposal, as necessary, as well as other public agency staff.
- C. At the pre-application conference if conducted, the planner shall:
  - 1. Cite the applicable comprehensive plan policies and map designation;
  - 2. Cite the applicable substantive and procedural ordinance provisions;
  - 3. Provide available technical data and assistance which will aid the applicant as provided by the public works director;
  - 4. Identify other policies and regulations that relate to the application; and
  - 5. Identify other opportunities or constraints that relate to the application.
- D. Another pre-application conference is required if an application is submitted six months after the preapplication conference.

**Applicant's Response:** The application is being submitted within 6 months of the pre-application conference. This criterion is met.

- E. Applications for approval required under this title may be initiated by:
  - 1. Resolution of the city council;
  - 2. Resolution of the planning commission;
  - 3. The planner;

IX. Compliance With Section 17.162 – Procedures For Decision Making – Quasi- Judicial  
(Continued)

4. A recognized neighborhood planning organization or city advisory board or commission;  
or
5. Application of a record owner of property or contract purchaser.

**Applicant's Response:** This application is made by a record owner of property within the site.

- F. The application shall be made on forms provided by the planner.

**Applicant's Response:** Application has been made utilizing the forms provided by the City of Scappoose.

- G. The application shall:

1. Include the information requested on the application form;
2. Address appropriate criteria in sufficient detail for review and action; and
3. Be accompanied by the required fee.

**Applicant's Response:** Required information including the application narrative and fee have been included in this application.

**17.162.021 CONSOLIDATION OF PROCEEDINGS**

- A. Except as provided in subsection C of this section, whenever an applicant requests more than one approval and more than one approval authority is required to decide the applications, the proceedings shall be consolidated so that one approval authority shall decide all applications in one proceeding.

**Applicant's Response:** This application includes a consolidated request for annexation and Zone Change.

**17.162.025 NOTICING REQUIREMENTS**

- A. For all quasi-judicial decisions requiring a public hearing, the applicant shall post signs provided by the planner displaying notice of the pending hearing at least fourteen days prior to the date of the hearing. One sign shall be required for each three hundred feet, or part thereof, of frontage of the subject property on any street. The content, design, size and location of the signs shall be as determined by the planner to assure that the information is legible from the public right-of-way. As a precondition to a hearing, the applicant shall file an affidavit of such posting with the planner no less than ten days prior to the hearing.

**Applicant's Response:** The applicant will post signs as specified using language to be obtained from the City Planner.

**17.162.090 APPROVAL AUTHORITY RESPONSIBILITIES**

- B. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:
1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;
  2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;
  3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

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

**17.162.140 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.

**Applicant's Response:** This application includes maps, appendices and written narrative that collectively demonstrate that the application fully complies with applicable policies of the comprehensive plan and approval standards of the relevant chapters of the City of Scappoose development code. This criterion is met.



## **X. COMPLIANCE WITH RELEVANT SECTION OF THE COMPREHENSIVE PLAN**

### **URBAN GROWTH BOUNDARY – GOALS & POLICIES**

#### **Goals for the Urban Growth Boundary:**

It is the goal of the City of Scappoose to:

1. Create optimal conditions of livability within the City and its urban growth area.

**Applicant's Response:** The purpose of this request is to facilitate the initial and future development of the Oregon Manufacturing Innovation Center. Our application meets the intent of this goal by providing a catalysis for urban growth which, in turn, supports job creation and optimal conditions of livability within the City of Scappoose and its urban growth area. This goal is met.

2. Locate all major public and private developments such as schools, roads, shopping centers, and places of employment, so that they do not tend to attract residential development to locations outside the designated urban growth boundary.

**Applicant's Response:** The proximity of the proposed O.M.I.C. development to the city's residential zones supports existing and proposed residential development and promotes the City's livability by allowing short commutes. This goal is met.

3. Include within the urban growth boundary sufficient land for future development.

**Applicant's Response:** The city's current Economic Opportunity Analysis has determined that approximately 269 acres of industrial land is needed to satisfy future demand. This proposed annexation request will add over fifty acres specifically for this purpose. This goal is met.

4. Promote employment generating uses within the airport section of the urban growth boundary. The amount of land required for the use should not dominate the amount of employment generated by the use.

**Applicant's Response:** Annexing this property will provide a variety of employment opportunities. The sites proximity to residential zones within the City supports existing and proposed residential development and promotes the City's livability by allowing short commutes. This goal is met.

The applicable GOALS OF THE URBAN GROWTH BOUNDARY are satisfied.

### **Policies for the Urban Growth Boundary**

It is the policy of the City of Scappoose to:

*\*\*\* Policies 1-6 are not pertinent to this application.*

7. Consider annexation of industrial lands when sufficient capacity exists for the delivery of sewer, water, street, police and fire services.

**Applicant's Response:** This proposed annexation request meets the intent of this policy. As stated earlier in this application, sufficient capacity exists for the delivery of sewer, water, adequate transportation, police and fire services. Initial discussions with the police and fire marshal indicate that there will be no impacts on service. This policy is met.

*\*\*\* Policies 8 - 10 are not pertinent to this application.*

The applicable POLICIES FOR THE URBAN GROWTH BOUNDARY are satisfied.

### **PUBLIC FACILITIES & SERVICES – GOALS & POLICIES**

#### **Goals for the Public Facilities & Services**

It is the goal of the City of Scappoose to:

1. Provide the public facilities and services which are necessary for the well-being of the community and which help guide development into conformance with the Comprehensive Plan.

**Applicant's Response:** The city's Comprehensive Plan identifies the location and the E.O.A. indicates the need for additional industrially-zoned property. For future development on the properties annexed, the public facilities will be provided by the city and they will be constructed by the property owners. This goal is met.

2. Direct public facilities and services, particularly water and sewer systems, into the urban growth area.

**Applicant's Response:** Public facilities, including water and sewer associated with the annexed properties will be extended into the urban growth area. Please see Conceptual Development Plan, Sewer, Storm and Water System Plans in the appendix. (See Plans B, C, D and E.)

3. Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.

**Applicant's Response:** The Conceptual Land Use, Storm, Sewer and Water System Plans included in the application have been provided to demonstrate and ensure that adequate capacity and infrastructure is available to meet the objectives of the city's comprehensive plan for the annexation area. This goal is met.

4. Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.

**Applicant's Response:** The proposed annexation area is currently planned for intensive urban development and is within the city's UGB. This goal is met.

*\*\*\*Goals 5 – 11 are not pertinent to this application.*

The applicable GOALS FOR PUBLIC FACILITIES & SERVICES are satisfied.

#### **Policies for the Public Facilities & Services**

It is the policy of the City of Scappoose to:

1. Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.

**Applicant's Response:** Our Conceptual Development Plan shows the schematic utilities to support anticipated growth. More detailed design and environmental preservation planning will occur during subsequent phases of the proposed O.M.I.C. development and will be approved through the design review process. This policy is met.

*\*\*\*Policy 2 is not pertinent to this application.*

3. Implement the City of Scappoose Water Master Plan, prepared by Economics and Engineering Services, dated April 1997.

**Applicant's Response:** The city engineer has indicated that the Water Master Plan is in the process of being updated and preliminary data will be shared with the Applicant's engineer during the utility design phase of the O.M.I.C. development. This policy is met.

*\*\*\*Policies 4-5 are not pertinent to this application. This application is for Annexation only.*



X. Compliance With Relevant Section of the Comprehensive Plan (Continued)

6. Require the nuisance free storage of solid wastes, provide for the efficient collection of solid wastes and encourage the recovery of usable materials through recycling.

**Applicant's Response:** Given the unique nature of the Oregon Innovation & Manufacturing Center, special attention will, no doubt, be paid to nuisance-free storage of solid waste and recovery of useable materials through recycling. This policy will be met.

7. Implement the City of Scappoose Wastewater Master Plan, prepared by KCM, Inc., dated June 1998.

**Applicant's Response:** As previously stated, the city engineer has indicated that the Water Master Plan is in the process of being updated and preliminary data will be shared with the Applicant's engineer during the utility design phase of the O.M.I.C. development. This policy is met.

8. Develop and implement a watershed control plan to improve watershed management for the protection of surface and groundwater resources and a wellhead protection plan to protect groundwater resources.

**Applicant's Response:** This policy addresses the more global need for protection of both surface and ground water resources. It should be noted that the Storm System Plan identifies areas on site for water quality protection which will be addressed in detail during the site development phases of each project. This policy is met.

9. Strive to control local flooding and groundwater problems using existing storm drainage systems, and continue to seek funding to develop a comprehensive storm drainage plan to guide future development in a coordinated manner.

**Applicant's Response:** The city is in the process of revision its Storm Water Master Plan. It has been noted that some flooding has occurred in this area. While no development is associated with this application, the Concept Master Plan does show schematic facility and utility locations to accommodate projected growth. Actual detailed engineering design to address storm drainage and flood control will occur in subsequent phases during the design review process. This policy is met.

10. Require new developments to provide adequate drainage at time of initial construction in accordance with the Scappoose Storm System Master Plan while discouraging the alteration of streams, the drainage of wetlands that are identified as significant and the removal of vegetation beside streams. Natural drainage ways shall be used to carry storm water runoff whenever possible.

**Applicant's Response:** This application is for annexation only. Detailed engineering plans will be prepared to address drainage and storm water during the construction phases of future projects.



*\*\*\*Policies 11 - 28 are not pertinent to this application.*

29. Require master plans for business and industrial parks to ensure efficient provision of streets, sewer, water, and storm drainage facilities to large, undeveloped sites.

**Applicant's Response:** The Conceptual Master Plan is not applicable to this request. A Conceptual Development Plan has been provided to show anticipated storm, sanitary and water improvements.

The applicable POLICIES FOR PUBLIC FACILITIES AND SERVICES are satisfied.

### **ECONOMICS – GOALS & POLICIES**

#### **Goals for Economics**

It is the goal of the City of Scappoose to:

1. Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.

**Applicant's Response:** This application is made in direct response to the needs identified by the City's Economic Opportunities Analysis for larger industrial sites. Additionally, this application demonstrates that large sites such as the property included in this application can be developed in a way which will add to the health, stability and diversity of the city's economy and livability. This goal is met.

2. Establish greater local control over local economic development policy through the adoption of the Scappoose Economic Opportunities Analysis.

**Applicant's Response:** The City of Scappoose Economic Opportunities Analysis forms the basis and establishes the need for the type of development currently being proposed as part of this application. This goal is met.

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.

**Applicant's Response:** This application will facilitate the development of the Oregon manufacturing & Innovation Center providing additional employment opportunities. The property is located within the City of Scappoose Urban Growth Boundary and is designated for industrial development. The proposed Oregon Manufacturing Innovation Center is an excellent example of a unique combination of industry-driven research and development (R&D) providing workforce training facilities which make O.M.I.C. a distinguished economic asset for the area. This goal is met.

X. Compliance With Relevant Section of the Comprehensive Plan (Continued)

4. Take advantage of economic opportunities identified in the Scappoose Economic Opportunities Analysis (EOA) to increase local employment and community prosperity.

**Applicant's Response:** As stated in response #3 for Goals and Economics, our application creates the opportunity for a world-class R&D facility in the area and will support the city's goal of increasing local employment and community prosperity. This goal is met.

5. Capitalize on the comparative advantages identified in the Scappoose EOA to maintain and attract industrial and commercial employment opportunities.

**Applicant's Response:** Approval of this application will further enable the City to capitalize on the advantages identified by the EOA. The combination of a large site with access to Highway 30 combined with the pricing advantage compared to the Portland Metropolitan area provide a distinct advantage to the City of Scappoose to increase industrial employment opportunities in the area so residents can work within their community. This goal is met.

The applicable GOALS FOR ECONOMICS are satisfied.

#### **Policies for Economics**

It is the policy of the City of Scappoose to:

1. Make sufficient suitable land available for the anticipated expansion of commercial and industrial activities identified in the Scappoose EOA.

**Applicant's Response:** Approval of our proposed Annexation and Zone Change request will enable the city to add more than 50 acres of industrial land to the City. This need was identified by the Scappoose Economic Opportunities Analysis and this policy is met.

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

*\*\*\*Policy 3 is not applicable*

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

**Applicant's Response:** Approval of this combined application will provide the mechanism for expanding employment opportunities within the City of Scappoose that will be directly accessible to members of the community. This policy is met.

X. Compliance With Relevant Section of the Comprehensive Plan (Continued)

5. Promote pollution free industrial development necessary to provide a balanced tax base for the operation of local government services.

**Applicant's Response:** As this is an application for annexation, there is no development proposed. At such time as the first phase of the Oregon Manufacturing and Innovation Center is constructed, both city policy and Oregon's DEQ requirements will be adhered to so that protection of clean air, water and lands are ensured. This policy is met.

*\*\*\*Policies 6 - 10 are not applicable*

11. Identify special locations for industrial activities that will assist in energy conservation; specifically, industries should be clustered:

- a) Close to existing rail lines, Highway 30, and the airport.

**Applicant's Response:** This application is in keeping with the intent of this policy. The proposed location is centrally located near Highway 30, the railroad and the airport. This policy is met.

- b) To allow for employees to use carpools and public transportation.

**Applicant's Response:** The Conceptual Development Plan shows linkages with existing street networks that are efficient and provide convenient access for a variety of travel modes. At time of actual site development review, future applications will address in greater detail the mechanisms by which the proposed development can support biking, walking, carpools and public transit. This policy is met.

12. Ensure that mining activities are compatible with surrounding activities including the airport by applying the Public Use Airport Safety and Compatibility Overlay Zone.

**Applicant's Response:** Does not pertain to this application.

13. Coordinate plans by the City, County and Port District to provide and pay for public facilities to accommodate expected industrial, commercial, institutional, and residential growth.

**Applicant's Response:** The public facilities provided to serve the future development on this site will be paid for by the development of proposed future uses. Financing mechanisms include system development charges, Local Improvement Districts and possible late-comer's fees to cover infrastructure costs. This policy is met.

14. Encourage design features on Highway 30 that reduce conflicts with traffic flow, as congestion and traffic hazards can only hinder local economic development.

**Applicant's Response:** Does not pertain to this application.



15. Encourage energy saving building practices in future commercial and industrial buildings.

**Applicant's Response:** The very nature of the proposed Oregon Manufacturing Innovation Center presupposes that energy-saving building practices will be incorporated into the construction of proposed buildings. This policy is met.

16. Protect industrial, airport-related and commercially designated areas for their intended uses as identified in the Scappoose Economic Opportunities Analysis.

**Applicant's Response:** Not Applicable

17. Coordinate with the Port of St. Helens and individual property owners to protect land near the Scappoose Industrial Airpark for intended airport-related and airport-compatible employment uses as called for in the Scappoose EOA.

**Applicant's Response:** The proposed annexation and Zone Change supports the uses identified by the Scappoose EOA. While not airport-related, the uses proposed within the O.M.I.C R & D campus are certainly compatible employment uses. This policy is met.

18. Take actions called for in the EOA to increase local employment and improve the population to employment balance.

**Applicant's Response:** As stated previously, the approval of this combined application will provide the mechanism for expanding employment opportunities within the City of Scappoose that will be directly accessible to members of the community. This policy is met.

The applicable POLICIES FOR ECONOMICS are satisfied.

#### **TRANSPORTATION – GOALS & POLICIES**

##### **Goals for Transportation**

It is the goal of the City of Scappoose:

*\*\*\*Goals 1 - 6 are not applicable*

7. To cooperate closely with the County and State on transportation matters.

**Applicant's Response:** The applicant's traffic consultants, working in conjunction on this proposed annexation have coordinated with the city and county officials to identify and address concerns that may potentially arise as a result of the annexation and subsequent development within the area to be annexed. It is understood that a Transportation Planning Rule (TPR) analysis is required to determine if the estimated traffic volumes associated with the proposed annexation result in an

X. Compliance With Relevant Section of the Comprehensive Plan (Continued)

increase in traffic volumes beyond that identified in the 2035 City of Scappoose Transportation System Plan (TSP). The traffic with the proposed annexation does not exceed this threshold in the TSP, therefore the TPR analysis is satisfied. Specific transportation improvements in the project vicinity will be identified through the City's requirement for a Traffic Impact Analysis for a development resulting in site generated 100 additional daily trips, and/or 10 a.m. or p.m. peak hour trips. This goal is met.

8. To assure that roads have the capacity for expansion and extension to meet future demands.

**Applicant's Response:** The City of Scappoose TSP identifies the future roadway capacity requirements based on an identified future traffic volume. The estimated traffic volumes associated with the proposed annexation are within the traffic volumes provided in the future year TSP. This goal is met.

*\*\*\*Goal 9 is not applicable*

10. To encourage energy conservation modes of transit such as car-pooling.

**Applicant's Response:** This annexation request will contribute to the creation of jobs in closer proximity for the residents of Scappoose and Columbia County. The resulting benefit will be shorter commutes and the ability to walk or bike to work. This goal is met.

11. To provide special protected routes for walking and bicycling.

**Applicant's Response:** Since this is an application for annexation only, no specific site designs are proposed as part of this application. As the annexation area develops, more attention can be paid to addressing "special protected routes for bikes and pedestrians." This goal is met.

12. Enhance the aesthetics of all streets and roadways through planting and maintenance of street trees.

**Applicant's Response:** As previously stated, since this is an application for Annexation and Zone Change only, no specific site designs are proposed as part of this application. As the annexation area develops, more attention can be paid to addressing the aesthetics of streets and roadways in addition to potential open space and pedestrian amenities. This goal is met.

13. Work with the Port of St. Helens to maintain the continuing viability of the Scappoose Industrial Airpark.

**Applicant's Response:** Not applicable to this request.

The applicable GOALS FOR TRANSPORTATION are satisfied.



### **Policies for Transportation**

It is the policy of the City of Scappoose to:

1. Require all newly established streets and highways to conform to Scappoose Municipal Code requirements for width, alignment, design and construction.

**Applicant's Response:** No specific site development is associated with this annexation request. The Applicant has been coordinating with the city on the construction of a temporary road accessing the property from West Lane Road. This temporary road will provide interim access to the O.M.I.C. first phase and also for vehicles accessing the parker property for its import/fill operation. Construction of the temporary road is being closely monitored with respect to providing adequate compaction. The proposed public road will meet city standards with respect to width, alignment, design and construction and will be built in the near-future as the property develops. This policy is met.

2. Review diligently all subdivision plats and road dedications to ensure the establishment of a safe and efficient road system.

**Applicant's Response:** No specific site designs are proposed with this application. The Conceptual Development Plan shows a safe and efficient internal road system which will be further evaluated during the future platting and development of the property. Right-of-way dedications and specific roadway widths will comply with city code requirements for safety and efficiency. This policy is met.

3. Cooperate with the County and State on plans to improve transportation facilities--especially on Highway 30.

**Applicant's Response:** In conjunction with the proposed zone change we have coordinated with Columbia County and ODOT personnel to identify and address concerns that may arise as a result of the zone change and subsequent development within the subject property. The newly-adopted TSP includes several planned transportation infrastructure improvements that address future transportation needs within the City of Scappoose, including those necessary along Highway 30. These improvements are intended to support future development both within the subject property and generally throughout the city. It is anticipated that as development proceeds within the subject property specific improvements and/or financial contributions toward project costs may be required, as is proportionate to the impacts of the individual developments. It is anticipated that the improvements and policies identified in the TSP will address the concerns of the Oregon Department of Transportation, as the document was developed jointly between the two agencies. The future year TSP included traffic volumes throughout the City to accommodate the estimated growth that will occur by the year 2035 and therefore appropriate transportation mitigation measures have been identified.



Columbia County has identified concerns regarding the safety and capacity of West Lane Road between North Honeyman Road and Highway 30. It is also anticipated that future development within the subject property will participate in analysis and mitigation tasks for this roadway in proportion to the traffic impacts of individual developments.

4. Regulate signs and sign lighting along major routes to avoid distractions for motorists.

**Applicant's Response:** No specific site designs are proposed with this application. When the individual parcels develop and facilities are constructed, lighting and signage will be designed to avoid distractions for motorists and ensure safe vehicle operation. This policy is met.

*\*\*\*Policies 5 - 19 do not pertain to this application*

The applicable POLICIES FOR TRANSPORTATION are satisfied.

**GENERAL GOALS OF THE CITY OF SCAPPOOSE FOR LAND USE**

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.

**Applicant's Response:** Our proposed Annexation request and Zone Change demonstrate that proposed development will support growth that is orderly and efficient and in keeping with the City of Scappoose long-term goals and existing patterns of development. Adherence with the principles of the EOA also demonstrates that future development associated with this annexation request is planned to meet anticipated community needs. This goal is met.

2. Physical characteristics of the area, such as its geographic assets and limitations, its topographic and geologic features, etc., should be recognized where they may represent important land use determinants.

**Applicant's Response:** Discussions with the city engineer indicate that there has been some localized flooding associated with Scappoose Creek. A portion of the property is located in a "Special Flood Hazard Area" and a Letter of Map Revision and associated documentation is provided in the appendix. (See *Flood Hazard Map* Figure 3 on Page 10 and *LOMR-F Documents* in Appendix E.) This goal is met.

3. A suitable balance between competing land use should be established so that, insofar as possible, the complete range of social, economic, cultural, and aesthetic needs of the community are met.

**Applicant's Response:** Approval of this annexation request and the development of the O.M.I.C. R&D campus will result in the addition of future employment lands which, in turn, will enhance the economic balance of land uses. Moreover, this annexation will provide a wider range of employment opportunities that support the economic goal of providing employment opportunities. This goal is met.

*\*\*\*Goals 4 - 7 are not applicable*

8. Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.

**Applicant's Response:** The annexation application directly applies to property intended for industrial use. The annexation area is located strategically near other compatible industrial uses and has access to all utilities and infrastructure. This property is extremely well suited for its intended industrial purpose and has adequate capacity to accommodate future needs. This goal is met.

*\*\*\*Goals 9 - 11 are not applicable*

12. Adequate public services and facilities should be provided to encourage an orderly and efficient growth pattern.

**Applicant's Response:** A pre-application conference was held that included representatives of various city departments. No substantial deficiencies were discussed at the time. When future properties develop, utility and infrastructure needs will be analyzed and each site will be engineered to provide adequate public facilities to encourage an efficient growth pattern. This goal is met.

13. A safe and convenient transportation system should be developed to meet future needs.

**Applicant's Response:** The annexation area will be accessed off of West Lane Road via Crown Zellerbach Rd and Highway 30. Internal streets will be provided to support future development needs. Additionally, a transportation analysis has been conducted (see appendix) and found that there will be no impacts that will limit the safety and convenience of the overall transportation system in the area. This goal is met.

14. The local economy should be strengthened and diversified.

**Applicant's Response:** Approval of the proposed annexation and zone change request will enable the city to add more than 50 acres of industrial employment land to the City. This need was identified by the Scappoose Economic Opportunity Analysis. The advent of the Oregon Manufacturing and Innovation Center and associated development will help to significantly strengthen and diversify the local economy. This goal is met.

*\*\*\*Goals 15 - 16 are not applicable*



17. Land uses should be arranged to maximize the conservation of energy.

**Applicant's Response:** The CMP shows the potential development scenario of the O.M.I.C. campus including clustered employment uses close to the airport, major transportation corridors and the city's many residential neighborhoods. This proximity will help to minimize energy consumption by cars and trucks and limit the distance required for provision of urban services and associated infrastructure. This goal is met.

*\*\*\*Goals 18 - 19 are not applicable*

The applicable GENERAL GOALS OF THE CITY OF SCAPOOSE are satisfied.

**INDUSTRIAL LANDS – GOALS & POLICIES**

**Goals for Industrial Lands**

It is the goal of the City of Scappoose to:

1. Provide a place for industrial activities where their requirements can be met, and where their environmental effects will have a minimal impact upon the community.

**Applicant's Response:** The annexation request directly applies to property intended for industrial use as shown on the city's Comprehensive Plan Map. The annexation area is strategically near other compatible industrial uses and has access to all utilities and infrastructure. This property is extremely well suited for its intended industrial purpose, moreover, Scappoose Creek forms a logical buffer between less-intensive single-family residential uses. This goal is met.

2. Prevent industrial development from disrupting homogeneous residential neighborhoods.

**Applicant's Response:** As clearly indicated on the Columbia County Zoning Map (Figure 11 to the right) there is a natural buffer / separation between the proposed industrial development and existing RR-5 property to the north. This separation is created by Scappoose Creek and forms a natural barrier to keep any industrial uses from disrupting homogeneous residential neighborhoods.

This goal is met.

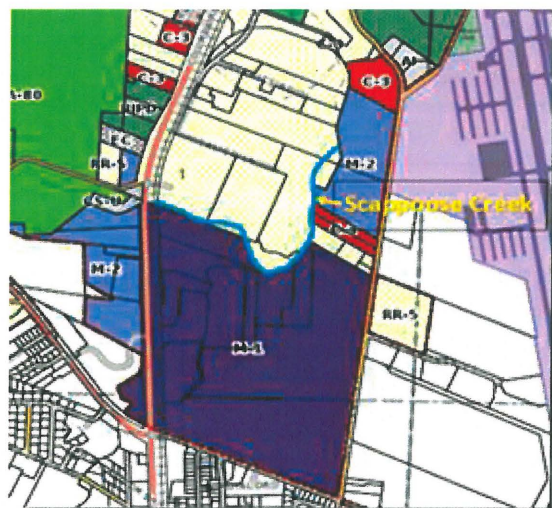


Figure 11: Columbia County Zoning Map



X. Compliance With Relevant Section of the Comprehensive Plan (Continued)

3. Locate industrial areas so they have a convenient relationship to the community's transportation system, without generating heavy traffic through residential districts; additionally, the clustering of industrial activities will allow carpooling by employees.

**Applicant's Response:** The relationship of the proposed annexation area to the community's transportation system is ideal. Conveniently situated adjacent Highway 30, the proposed annexation area has proximity to both the airport as well as rail. Bordering on both Crown Zellerbach and West Lane Road all heavy vehicular traffic is routed away from any residential districts. Also, the proximity of the proposed annexation area provides the opportunity for both car-pooling in addition to bikes as a means of accessing the development. This goal is met.

4. Screen, setback or buffer the boundaries of industry, particularly unsightly areas which can be viewed from arterials or from residential areas.

**Applicant's Response:** This application is for annexation only. At the time that individual parcels develop, they will comply with the applicable development code standards for building setbacks and landscape buffering. This goal is met.

5. Apply this designation where industrial concerns have become established and where vacant industrial sites have been set aside for this purpose.

**Applicant's Response:** The parcels proposed for annexation (with the exception of tax lots 1100, 1000 and 800) are already an established industrial use and meet the intent of this goal.

6. Protect the stability and functional aspects of industrial areas by protecting them from incompatible uses.

**Applicant's Response:** The proposed O.M.I.C. development envisions an ultimate R & D campus comprised of industrial and manufacturing type uses compatible within the area. This goal is met.

The applicable GOALS FOR INDUSTRIAL LANDS are satisfied.

### **Policies for Industrial Lands**

It is the policy of the City of Scappoose to:

1. Provide suitable areas for industrial expansion, utilizing for such purposes relatively large, flat areas that are separated by buffers from the City's residential districts.
2. Prevent industrial development from disrupting homogeneous residential neighborhoods.

X. Compliance With Relevant Section of the Comprehensive Plan (Continued)

3. Locate industrial areas so they have a convenient relationship to the community's transportation system, without generating heavy traffic through residential districts; additionally, the clustering of industrial activities will allow carpooling by employees.
4. Screen, setback or buffer the boundaries of industry, particularly unsightly areas which can be viewed from arterials or from residential areas.
5. Apply this designation where industrial concerns have become established and where vacant industrial sites have been set aside for this purpose.
6. Protect the stability and functional aspects of industrial areas by protecting them from incompatible uses.

**Applicant's Response:** The proposed 52.3-acre annexation area is ideally suited for industrial development. The property is relatively flat and is separated from nearby residential neighborhoods by Scappoose Creek on the north. The property's location immediately adjacent to West Lane Road provides ready access to Highway 30 via Crown Zellerbach Road with no impact on adjacent residential neighborhoods.

Upon development, the property will comply with all city screening and buffering requirements. The industrial designation is applicable as the proposed annexation area currently has a number of industrial uses. This policy is met.

The applicable POLICIES FOR INDUSTRIAL LANDS are satisfied.

**HAZARD AREAS – GOALS & POLICIES**

**Goals for Hazard Areas**

It is the goal of the City of Scappoose to:

1. Protect against all loss of life or property by closely regulating construction, investment and activities in designated hazard areas.

**Applicant's Response:** This application is for annexation only. For all future development, detailed architectural design and engineering plans will be reviewed by the city engineer to ensure compliance with all applicable regulations and code requirements. This goal is met.

The applicable GOALS FOR HAZARD AREAS are satisfied.

**Policies for Hazard Areas**

It is the policy of the City of Scappoose to:

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.

**Applicant's Response:** The Applicant has received a Letter of Map Revision (Case NO. 17-10-0335A) issued by F.E.M.A. which allowed filling within the 100-year floodplain located within the annexation area. (See *Floodplain Boundaries* in Appendix H.) This policy is met.

- B. All development plans on slopes greater than 20 percent shall be reviewed and approved by the Superintendent of Public Works.

**Applicant's Response:** This is an application for annexation. This criterion is not applicable.

- C. All development plans on lands with recognized drainage problems shall be reviewed and approved by the Superintendent of Public Works.

**Applicant's Response:** This is an application for annexation. All grading and drainage design will be reviewed and approved by the city engineer at the time of site development review. This criterion is not applicable.

- 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.

**Applicant's Response:** This is an application for annexation. All grading and drainage design will be reviewed and approved by the city engineer at the time of site development review. This criterion is not applicable. The Applicant has received a Letter of Map Revision (Case NO. 17-10-0335A) issued by F.E.M.A. which allowed filling within the 100-year floodplain located within the annexation area. (See *Floodplain Boundaries* in Appendix H.).

Portions of the property have been filled and any construction will require a geotechnical evaluation approved by the city engineer prior to construction. Given its proximity to Scappoose Creek, drainage problems are not anticipated. A more detailed engineering analysis will be conducted for



X. Compliance With Relevant Section of the Comprehensive Plan (Continued)

portions of the annexation area being developed at the time of site development review. This policy is met.

2. For development on such lands, the City may impose whatever conditions it deems necessary to protect life and property.
3. Revise the Comprehensive Plan and Plan Map to reflect flood danger areas when the HUD study on local floodplains is completed or updated.

**Applicant's Response:** As previously stated, the Applicant has received a Letter of Map Revision (Case NO. 17-10-0335A) issued by F.E.M.A. which allowed filling within the 100-year floodplain located within the annexation area. (See *Floodplain Boundaries* in Appendix H.) Upon updating the city's Comprehensive Plan Map, this policy can be met.

4. Attempt to reduce the flooding along Scappoose Creek; possible means include: cleaning and dredging, creating banks, widening the bed, and straightening the path.  
Implementation of any improvements shall be done in conjunction with the Department of Fish and Wildlife.

**Applicant's Response:** This is an application for annexation. This criterion does not apply. As previously stated, the Applicant has received a Letter of Map Revision (Case NO. 17-10-0335A) issued by F.E.M.A. which allowed filling within the 100-year floodplain located within the annexation area. (See *Floodplain Boundaries* in Appendix H.) The city has advised that there has been minor flooding on small portions of the property. Mitigation measures will be addressed in conjunction with DFW at the time that individual parcels are developed. This policy is met.

The applicable POLICIES FOR HAZARD AREAS are satisfied.

## **XI. CONFORMANCE WITH STATEWIDE PLANNING GOALS**

### **GOAL 1: CITIZEN INVOLVEMENT**

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

**Applicant's Response:** The City of Scappoose Comprehensive Plan & Development Code includes citizen involvement procedures that apply to the review of this application. This process allows for citizens to provide their input either orally or in person on the proposed Annexation application and participate in hearings conducted by the City. The Planning Commission will review and comment on the proposed annexation and make a recommendation to the City Council for approval. With respect to notification, the Applicant will post the required notice and signage on the property. The City will mail notices to nearby property owners and notice of the proposed annexation is published in the newspaper. This process complies with Goal 1 objectives.

### **GOAL 2: LAND USE PLANNING**

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information" that local plans and ordinances be coordinated with those of other jurisdictions and agencies and that plans be reviewed periodically and amended as needed.

**Applicant's Response:** The Applicant's request is to annex certain property within the city's UGB into the City of Scappoose and change the zoning of the parcels indicated to Light Industrial zoning in compliance with Goal 2. The procedural requirements for annexation are found in the Scappoose Municipal Code. This includes an assessment of the annexation application's merits, notice to affected parties, and public hearings. Notice of the annexation will be provided by the city to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact. This goal is met.

**GOAL 3: AGRICULTURAL LANDS**

Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

**Applicant's Response:** This goal is not applicable as the proposed annexation area is currently within the city's adopted Urban Growth Boundary and identified as Industrial.

**GOAL 4: FOREST LANDS**

Goal 4 defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

**Applicant's Response:** 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.

**GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES**

Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

**Applicant's Response:** The proposed annexation area 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. A portion of the property is located within the 100-year floodplain and, as stated previously, the Applicant has received a Letter of Map Revision (Case NO. 17-10-0335A) issued by F.E.M.A. to allow filling of a portion of the property. Any proposed site development on the property will be evaluated for compliance with the City's Land Use and Development Code prior to any actual development occurring. The City's Land Use and 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 does not conflict with this Goal.



## XI. Conformance With Statewide Planning Goals (Continued)

### **GOAL 6: AIR, WATER, AND LAND RESOURCE QUALITY**

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

**Applicant's Response:** The property proposed to be annexed is currently planned for industrial uses and, ultimately, an R & D campus. 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 created by development of the property. The potential harmful effects on air, water and land resource quality is limited and all new proposed development will be subject to the city engineer's approval for all storm water facilities that limit ground and surface water pollution. The proposed annexation will have no significant impact with respect to this Goal.

### **GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS**

Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

**Applicant's Response:** As previously stated, the Applicant has received a Letter of Map Revision (Case NO. 17-10-0335A) issued by F.E.M.A. to allow filling within the 100-year floodplain located within the annexation area. Please see appendix. Upon updating the city's Comprehensive Plan Map, this goal can be met.

### **GOAL 8: RECREATIONAL NEEDS**

Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.

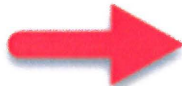
**Applicant's Response:** The proposed annexation area is located within the city's UGB and is currently zoned industrial. There are no recreational areas or facilities planned for this area. This goal is not applicable.

### **GOAL 9: ECONOMY OF THE STATE**

Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

# XI. Conformance With Statewide Planning Goals (Continued)

**Applicant's Response:** The city of Scappoose Economic Opportunity Analysis identifies a need for nearly 218 net acres of industrial property by 2030.



Need For Land		
Use Type	Net Acres	Gross Acres
<b>INDUSTRIAL</b>	<b>217.9</b>	<b>269.0</b>
OFFICE COMMERCIAL	54.7	64.4
RETAIL COMMERCIAL	33.6	39.6
CITY RESIDENTS	26.7	31.4
REGION/TOURISTS 1/	7.0	8.2
SPECIALIZED USES 2/	93.5	110.0
<b>TOTAL</b>	<b>399.8</b>	<b>483.0</b>

Figure 12: Projected Land Need in Scappoose, 2010-2030 (Net & Gross Acres)

This proposed annexation request would account for approximately 52 acres and would be one of two large (over 50 acre) sites identified as employment land needed to meet projected demand and economic objectives. As stated in the E.O.A. *“the City of Scappoose has a high portion of jobs in the Manufacturing sector at 12.5%”* and the advent of the Oregon Manufacturing and Innovation Center would substantially add to this particular employment base.

“Manufacturing remains an engine of growth for the region,” according to the Workforce Innovation and Opportunity Act Local Plan for the City of Portland, Multnomah and Washington Counties. It added 3,300 jobs in 2015 (+4.2%), outperforming the overall economy and growing nearly four times faster than manufacturing nationally. The Advanced Manufacturing sector includes high tech, metals, machinery, transportation equipment, and food processing. With 65,600 jobs and a payroll of \$6.1 billion (2015), Advanced Manufacturing accounts for 10 percent of Portland Metro’s private-sector employment and 16 percent of payroll. Annual wages averaged \$93,700; \$36,600 (64%) more than the average across all industries.

The proposed annexation should result in development that substantially contributes to the state, county and local economy by providing land for manufacturing and research-related employment and associated uses. Moreover, the annexation will further enable the City to



## XI. Conformance With Statewide Planning Goals (Continued)

capitalize on the advantages identified by the EOA. The combination of two large sites and convenient airport, rail and HWY 30 access provides advantages to the City of Scappoose for dramatically increasing industrial employment opportunities. Therefore, the application is consistent with this goal.

### **GOAL 10: HOUSING**

Goal 10 specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

**Applicant's Response:** This application specifically addresses the Applicant's request to annex 52 acres of industrially-zoned property into the city. It will have no effect on the housing supply within the Scappoose city limits. This goal is not applicable.

### **GOAL 11: PUBLIC FACILITIES AND SERVICES**

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

**Applicant's Response:** The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense at such time that the property is developed. Water, sanitary sewer and storm sewer would be constructed pursuant to "Conditions of Approval" pertinent to future subdivision or site development review applications. This goal can be met.

### **GOAL 12: TRANSPORTATION**

Goal 12 aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

**Applicant's Response:** 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 eventual annexation and full development of the subject site was analyzed as part of the 2016 TSP update. As noted within the observations at the beginning of the TPR Analysis (see appendix) the anticipated traffic associated with the full build out of the subject site falls within the assumptions made by the TSP. The City will require improvements to the roadway network as conditions of approval for



## XI. Conformance With Statewide Planning Goals (Continued)

subsequent development proposals submitted for the site, in conformance with the identified projects listed within the TSP and in coordination with ODOT. Therefore, the application is consistent with this Goal.

### **GOAL 13: ENERGY**

Goal 13 declares that "land and uses developed on the land shall be managed and controlled to maximize the conservation of all forms of energy, based upon sound economic principles."

**Applicant's Response:** Centralizing industrial zoning and related activities near airport, railroad and major transportation corridors facilitates carpooling and alternative modes of transportation by employees. Additionally, it allows for convenient access to principal roadways designated for truck traffic. The annexation area and its proximity to other industrial-zoned land contributes to a more energy-efficient land use pattern within the City's Urban Growth Boundary. The intent of this goal is met.

### **GOAL 14: URBANIZATION**

Goal 14 requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

**Applicant's Response:** The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation is the first step in the transition from rural to urbanized land as outlined in the city's Comprehensive Plan. Development of the annexation area will trigger requirements for future development to provide infrastructure, including necessary water, sanitary sewer, storm sewer and street improvements. The intent of this goal is met.

*\*\*\* Goals 15 – 19 Do not pertain to this application.*





DATE SIGNED \_\_\_\_\_

OREGON INSTITUTE OF TECHNOLOGY  
OMIC ANNEXATION

## ESCAPE OR

SCALE NOTE:



BAR IS ONE INCH ON ORIGINAL  
DRAWING. IF NOT ONE INCH ON  
THIS SHEET, ADJUST SCALES  
ACCORDINGLY.

PROJECT NO. : 6271		REVISIONS	
NO.	DESCRIPTION	DATE	BY
HORIZ DATUM : 1982			
VERT DATUM : 1989			
HORIZ SCALE : AS SHOWN			
VERT SCALE : AS SHOWN			
DRAWN : JZ			
DESIGN : KW			
CHECKED :			

## SITE CONTEXT PLAN

C-1.03



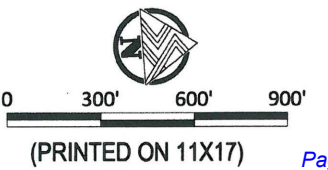


LEGEND

- AREA OF ANNEXATION (LIGHT INDUSTRIAL ZONE)
- AREA TO BE FILLED AS AGGREGATE MINE IS RECLAIMED

NOTES

- THIS PLAN IS A SCHEMATIC REPRESENTATION OF THE PROPOSED FACILITIES. THE LOCATIONS AND ALIGNMENTS SHOWN ARE CONCEPTUAL IN NATURE. THE PROPOSED IMPROVEMENTS WILL BE SIZED, LOCATED, ALIGNED, AND DESIGNED IN CONFORMANCE WITH THE APPLICABLE CODES AND DESIGN STANDARDS IN EFFECT AT THE TIME THE FACILITIES ARE CONSTRUCTED.
- THE AERIAL PHOTOGRAPH PROVIDED AS BACKGROUND IS PROVIDED FOR ILLUSTRATIVE CLARITY ONLY. IT IS NOT ORTHOGRAPHICALLY CORRECTED TO BE COINCIDENT WITH PROPERTY LINES OR STREET CENTERLINES.



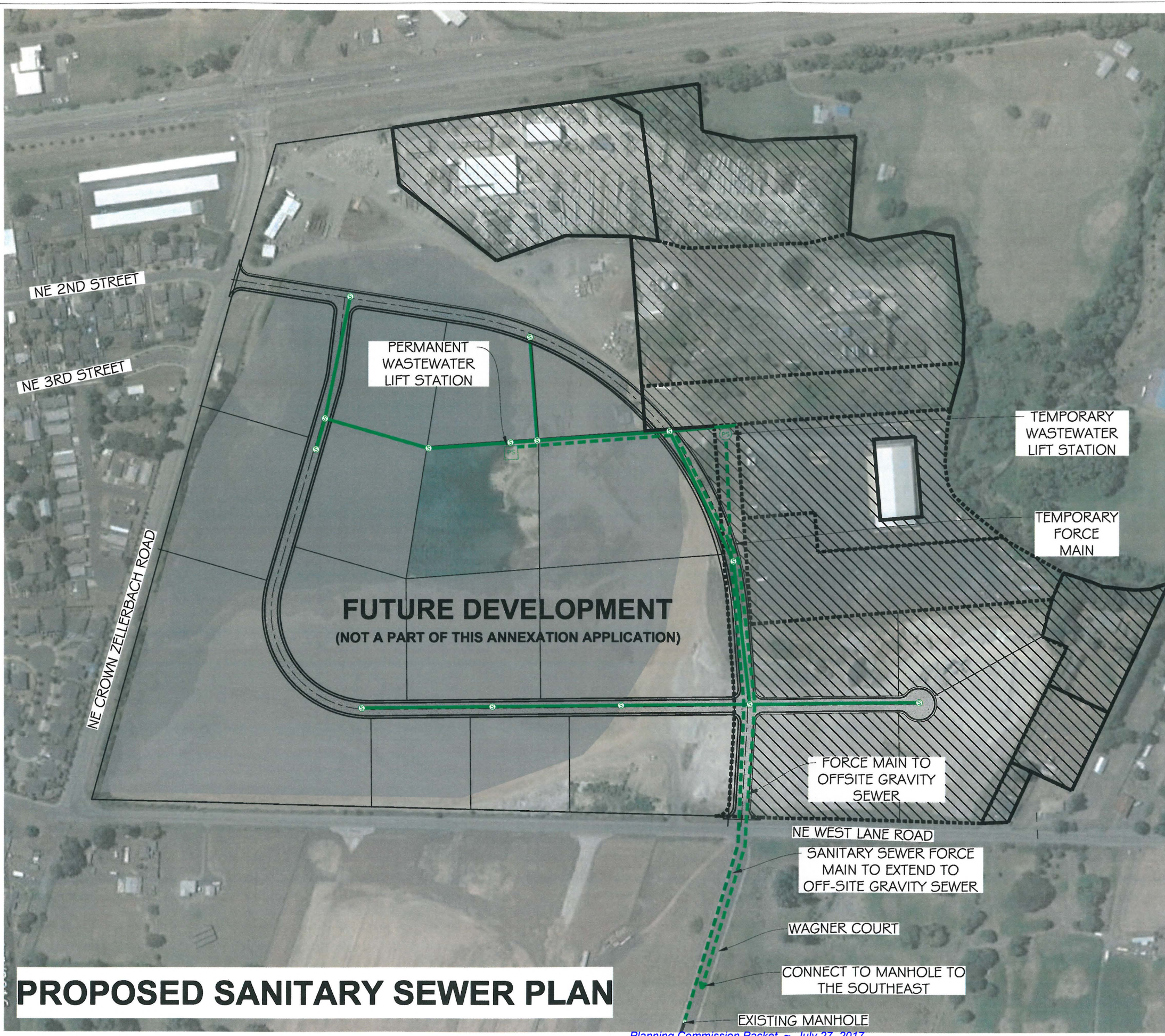
OREGON INSTITUTE OF TECHNOLOGY  
OMIC ANNEXATION

SCAPOOSE, OR

REVISIONS		NO.	DESCRIPTION	DATE	BY
PROJECT NO: 16211					
HORIZ DATUM: NAD 83					
VERT DATUM: MSL					
HORIZ SCALE: AS SHOWN					
VERT SCALE: AS SHOWN					
DRAWN: JSL					
DESIGN: RW					
APPROVED: RW					
PRELIMINARY DEVELOPMENT PLAN (SITE PLAN)					
C-1.03					

CONCEPTUAL DEVELOPMENT PLAN



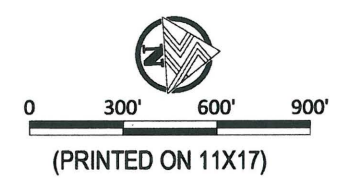


# LEGEND

- AREA OF ANNEXATION (LIGHT INDUSTRIAL ZONE)
- AREA TO BE FILLED AS AGGREGATE MINE IS RECLAIMED
- TEMPORARY SANITARY SEWER FORCE MAIN (SIZE AS INDICATED)
- TEMPORARY SANITARY SEWER FORCE MAIN - SIZE FOR BUILDOUT (4"Ø PIPE UNLESS OTHERWISE NOTED)
- SANITARY SEWER GRAVITY MAIN (8"Ø PIPE UNLESS OTHERWISE NOTED)
- TEMPORARY WASTEWATER LIFT STATION
- PERMANENT WASTEWATER LIFT STATION

# NOTES

- THIS PLAN IS A SCHEMATIC REPRESENTATION OF THE PROPOSED FACILITIES. THE LOCATIONS AND ALIGNMENTS SHOWN ARE CONCEPTUAL IN NATURE. THE PROPOSED IMPROVEMENTS WILL BE SIZED, LOCATED, ALIGNED, AND DESIGNED IN CONFORMANCE WITH THE APPLICABLE CODES AND DESIGN STANDARDS IN EFFECT AT THE TIME THE FACILITIES CONSTRUCTED.
- THE AERIAL PHOTOGRAPH PROVIDED AS BACKGROUND IS PROVIDED FOR ILLUSTRATIVE CLARITY ONLY. IT IS NOT ORTHOGRAPHICALLY CORRECTED TO BE COINCIDENT WITH PROPERTY LINES OR STREET CENTERLINES.



OREGON INSTITUTE OF TECHNOLOGY  
OMIC ANNEXATION

PROJECT NO:	16211	HORIZ DATUM:	NA	VERT DATUM:	NA	HORIZ SCALE:	AS SHOWN	VERT SCALE:	AS SHOWN	DRAWN:	JSL	DESIGN:	KW	APPROVED:	
NO.		DESCRIPTION		DATE		BY									

PRELIMINARY DEVELOPMENT PLAN (SANITARY)

# PROPOSED SANITARY SEWER PLAN

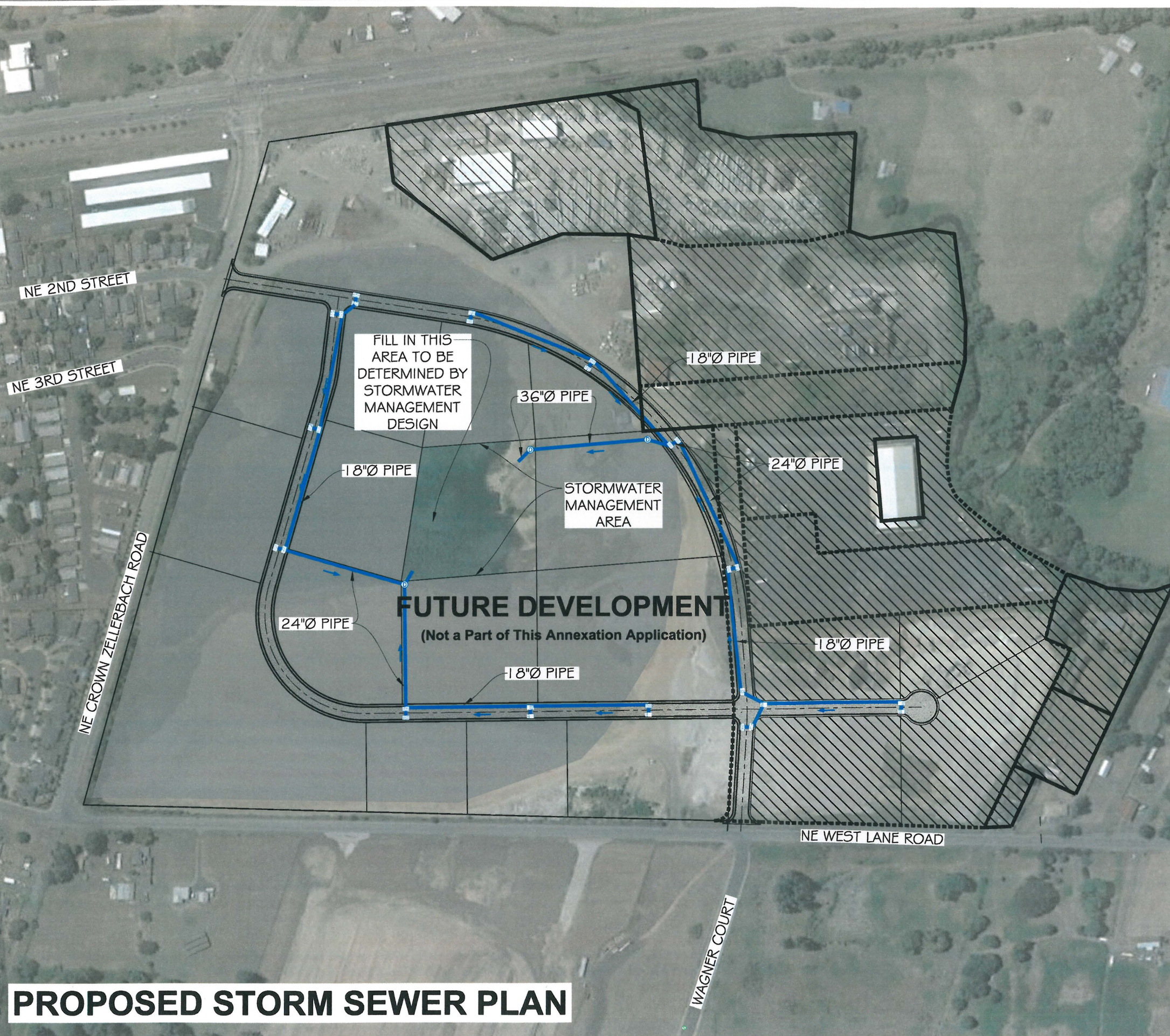


LEGEND

- AREA OF ANNEXATION (LIGHT INDUSTRIAL ZONE)
- AREA TO BE FILLED AS AGGREGATE MINE IS RECLAIMED
- STORM SEWER GRAVITY MAIN (PIPES ARE 12"Ø UNLESS NOTED OTHERWISE)
- PROPOSED STORM SEWER CATCH BASIN
- DIRECTION OF FLOW IN PIPE AND/OR OVERLAND

NOTES

- THIS PLAN IS A SCHEMATIC REPRESENTATION OF THE PROPOSED FACILITIES. THE LOCATIONS AND ALIGNMENTS SHOWN ARE CONCEPTUAL IN NATURE. THE PROPOSED IMPROVEMENTS WILL BE SIZED, LOCATED, ALIGNED, AND DESIGNED IN CONFORMANCE WITH THE APPLICABLE CODES AND DESIGN STANDARDS IN EFFECT AT THE TIME THE FACILITIES ARE CONSTRUCTED.
- THE AERIAL PHOTOGRAPH PROVIDED AS BACKGROUND IS PROVIDED FOR ILLUSTRATIVE CLARITY ONLY. IT IS NOT ORTHOGRAPHICALLY CORRECTED TO BE COINCIDENT WITH PROPERTY LINES OR STREET CENTERLINES.



PROPOSED STORM SEWER PLAN

REVISIONS			PROJECT NO: 16211		
NO.	DESCRIPTION	DATE	HORIZ DATUM: NA	VERT DATUM: NA	DATE

PRELIMINARY  
DEVELOPMENT  
PLAN (STORM)

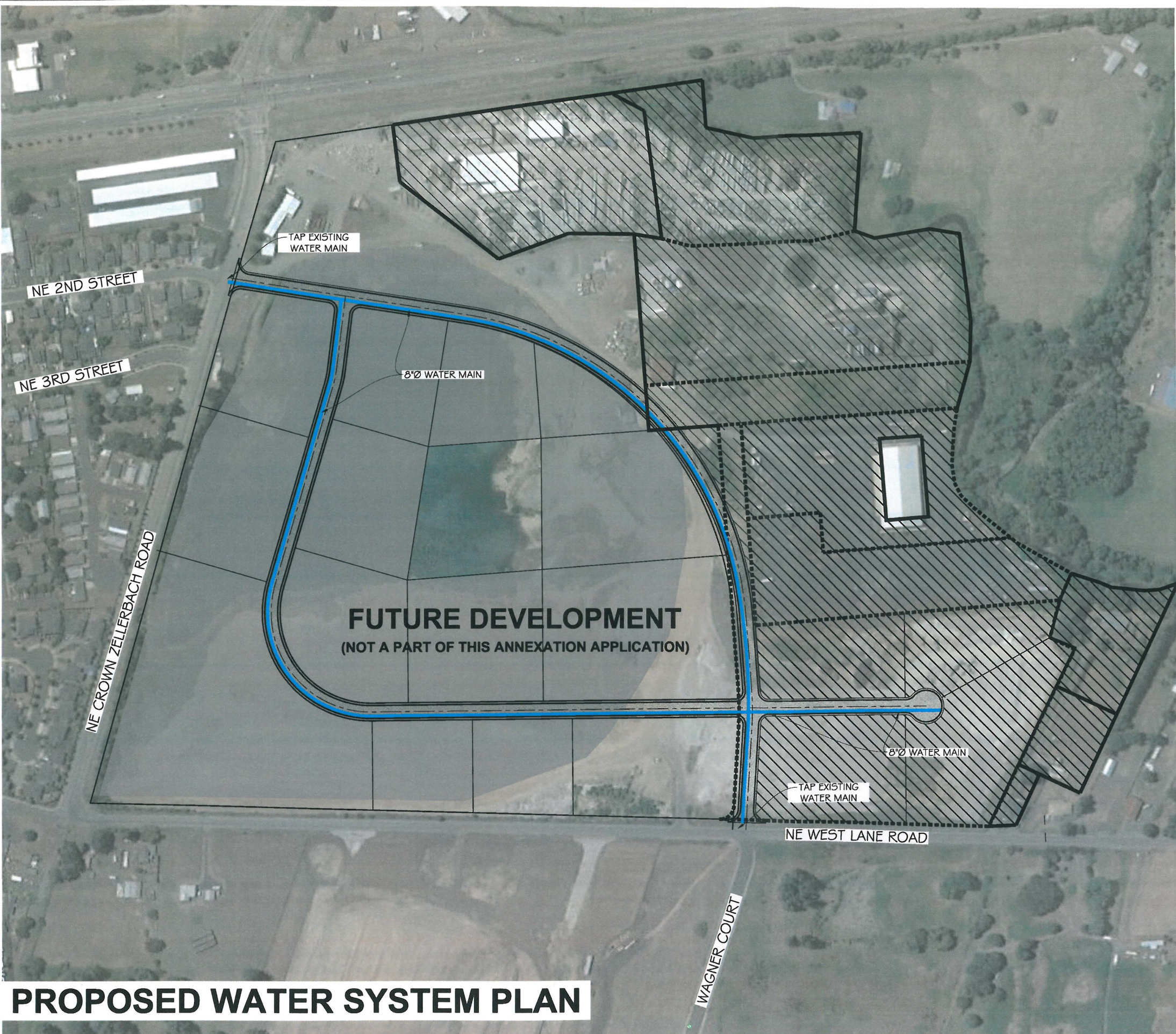


# LEGEND

- AREA OF ANNEXATION (LIGHT INDUSTRIAL ZONE)
- AREA TO BE FILLED AS AGGREGATE MINE IS RECLAIMED
- WATER DISTRIBUTION MAIN (PIPES ARE 12"Ø UNLESS NOTED OTHERWISE)

# NOTES

- THIS PLAN IS A SCHEMATIC REPRESENTATION OF THE PROPOSED FACILITIES. THE LOCATIONS AND ALIGNMENTS SHOWN ARE CONCEPTUAL IN NATURE. THE PROPOSED IMPROVEMENTS WILL BE SIZED, LOCATED, ALIGNED, AND DESIGNED IN CONFORMANCE WITH THE APPLICABLE CODES AND DESIGN STANDARDS IN EFFECT AT THE TIME THE FACILITIES CONSTRUCTED.
- THE AERIAL PHOTOGRAPH PROVIDED AS BACKGROUND IS PROVIDED FOR ILLUSTRATIVE CLARITY ONLY. IT IS NOT ORTHOGRAPHICALLY CORRECTED TO BE COINCIDENT WITH PROPERTY LINES OR STREET CENTERLINES.



# PROPOSED WATER SYSTEM PLAN

REVISIONS			
NO.	DESCRIPTION	DATE	BY

PROJECT NO: 16211  
HORIZ DATUM: NAD83  
VERT DATUM: NAD83  
HORIZ SCALE: AS SHOWN  
VERT SCALE: AS SHOWN  
DRAWN: JSL  
DESIGN: KW  
APPROVED: RW

PRELIMINARY  
DEVELOPMENT  
PLAN (WATER)

C-1.05





The Transportation Solution Experts

O: 503.746.4386 W: nemariam-engineers.com OR: DMWESB #7323 WA: DMWBE #D3F8822446

June 12, 2017

Laurie Oliver  
City Planner  
City of Scappoose  
33568 E Columbia Ave.  
Scappoose, OR 97056

06/12/2017



**Re: Transportation Planning Rule (TPR) Analysis**

### Summary

It is proposed that the City of Scappoose annex 52.32 acres of property, currently in Columbia County into the City and approve a zone change to "Light Industrial". This letter is intended to show that the estimated trip generation associated with the proposed zone change is within the estimated trips identified in the future year 2035 City of Scappoose Transportation System Plan (TSP), adopted in 2016. Based on the following analysis, it is understood that the proposed zone change does not trigger the requirements of the TPR.

### Background

The property, bounded by US 30 on the west, Crown Zellerbach Road on the south, W. Lane Road to the east and a portion of North Scappoose Creek and the northerly edge of an existing gravel mining operation form the north side of Transportation Area Zone (TAZ) 104 of the transportation model developed as part of the City of Scappoose TSP (See Figure 1). It is proposed that 48.60 acres of property in TAZ 104, currently zoned "Heavy Manufacturing" will be annexed into the City of Scappoose and rezoned to "Light Industrial". This total acreage in TAZ 104 is 134.65 acres +/- . The amount of land proposed to be annexed into the city and rezoned to "Light Industrial" represents approximately 36-percent of the total acreage in TAZ 104.

3.72 acres of land in TAZ 134 on three separate tax lots, immediately north of TAZ 104, currently zoned "Rural Residential-5 ac." is included in the annexation and zone change submittal. (See Figure 1). The total acreage in TAZ 134 is 57.30 acres +/- . The amount of land proposed to be annexed into the city and rezoned to "Light Industrial" represents approximately 7-percent of the total acreage in TAZ 134.

### Build-out of Existing Land Uses

The TRIP GENERATION MANUAL, Ninth Edition, published by the Institute of Traffic Engineers (ITE) was used to determine an estimated number of daily and pm peak hour trips that may be generated with full buildout with the existing land uses that are proposed to be annexed and rezoned into the City of Scappoose. (See trip generation calculations in the appendix). The selected land use code in the following tables was most closely associated with the existing land use, and through discussions with the City of Scappoose staff and the City's traffic consultant. Table 1 identifies the estimated traffic anticipated with the build-out of 48.60 acres in TAZ 104. Table 2 identifies the estimated traffic anticipated with build-out of 3.72 acres in TAZ 134. For purposes of this analysis, no trip reductions were included for internal, diverted or pass-by trips for either TAZ.

**Table 1**  
**Existing Land Uses within TAZ 104**  
**Estimated Trip Generation – Year 2013<sup>1</sup>**

Current County Land Use	ITE Code	Size	Daily Trips	Weekday PM Peak Hour Trips
Manufacturing	140	48.60 acres.	1,890	406
<b>Total Vehicle Trips</b>			<b>1,890</b>	<b>406</b>

<sup>1</sup> For purpose of the base year analysis, Year 2013 was used as it is understood that no requests for rezone of property in TAZ 104 have been submitted or approved by the City. Therefore, there should not be any increase in the trip generation within TAZ 104 since 2013.

A review was made of the Scappoose Transportation System Update, Technical Memorandum #6, Future Forecasting, "Trip Table Summary (Trip Generation by TAZ)" December 23, 2013 by DKS (See excerpt of the table in the appendix). This memorandum identifies that TAZ 104 generates 113 PM Peak hour trips in the Year 2013, significantly lower than the 406 estimated Weekday PM Peak Hour Trips shown in Table 1 at full build-out. As most the property within the 48.60 acres in TAZ 104 is not built-out and currently unused, the 113 PM Peak Hour Trips for TAZ 104 as included in the memorandum for the existing year appears realistic.

**Table 2**  
**Existing Land Uses within TAZ 134**  
**Estimated Trip Generation – Year 2013<sup>1</sup>**

Current County Land Use	ITE Code	Size	Daily Trips	Weekday PM Peak Hour Trips
Single Family Residential – RR.5	210	3 Single Family Dwellings	29	3
<b>Total Vehicle Trips</b>			<b>29</b>	<b>3</b>

<sup>1</sup> For purpose of the base year analysis, Year 2013 was used as it is understood that no requests for rezone of property in TAZ 134 have been submitted or approved by the City. Therefore, there should not be any increase in the trip generation within TAZ 134 since 2013.

A review was made of the Scappoose Transportation System Update, Technical Memorandum #6, Future Forecasting, "Trip Table Summary (Trip Generation by TAZ)" December 23, 2013 by DKS (See Appendix). This memorandum identifies that TAZ 134 generates 54 PM Peak hour trips in the Year 2013. The three PM Peak Hour trips are within the 54 trips assigned for TAZ 134.

### Proposed Land Uses

The TRIP GENERATION MANUAL, Ninth Edition, published by the Institute of Transportation Engineers (ITE) was used to determine an estimated number of daily, and pm peak hour trips that may be generated with full buildout with the future "Light Industrial" land use that is proposed to be annexed into the City of Scappoose. (See trip generation calculations in the appendix). It is proposed that 48.60 acres of property in TAZ 104 will be annexed into the City of Scappoose and rezoned as "Light Industrial". 10.46 acres of the property rezoned as "Light Industrial" is the location of the Oregon Manufacturing Innovation Center (O.M.I.C.). Table 3 identifies the number of daily trips and PM Peak Hour Trips associated with the proposed annexation and rezone of property within TAZ 104. Table 3 also includes the remaining 86.05 acres of lands within TAZ 104 which has a land use designation of "Light Industrial" as those additional lands are annexed and rezoned into the City of Scappoose.

Table 3  
Proposed Zone Change within TAZ 104  
Estimated Trip Generation – Future Year 2035

Land Use	ITE Code	Size	Daily Trips	Weekday PM Peak Hour Trips
General Light Industrial (Includes 10.46 acres for the O.M.I.C. site)	110	48.60 acres	2,315	296
Future General Light Industrial (Remaining lands within TAZ 134)	110	86.05 acres	3,896	433
<b>Total Vehicle Trips</b>			<b>6,211</b>	<b>729</b>

A review was made of the Scappoose Transportation System Update, Technical Memorandum #6, Future Forecasting, "Trip Table Summary (Trip Generation by TAZ)" December 23, 2013 by DKS (See Appendix). This memorandum identifies 614 PM Peak Hour trips to be generated in TAZ 104 in Year 2035. The 48.60 acres of property proposed to be annexed and rezoned into the city of Scappoose is estimated to generate 296 PM Peak Hour trips. The property represents 36-percent of the total land within the TAZ and represents 48-percent of the total Year 2035 forecast PM Peak Hour volume of 614 trips.

It is proposed that 3.72 acres of property in TAZ 134 will be annexed into the City of Scappoose and rezoned as "Light Industrial". Table 4 identifies the number of daily trips and PM Peak Hour Trips associated with the proposed zone change to "Light Industrial" within TAZ 134. Table 4 also includes the existing and future 8.76 acres of designated park and the remaining 39.84 acres of lands within TAZ 134 which has a land use designation of "Light Industrial" as those additional lands are annexed and rezoned into the City of Scappoose.



**Table 4**  
**Proposed Zone Change within TAZ 134**  
**Estimated Trip Generation – Future Year 2035**

Land Use	ITE Code	Size	Daily Trips	Weekday PM Peak Hour Trips
General Light Industrial	110	3.72 acres.	420	131
Park (Existing and Future)	412	8.76 acres	20	1
General Light Industrial (Remaining lands within TAZ 134)	110	39.84	1945	263
<b>Total Vehicle Trips</b>			<b>2,385</b>	<b>395</b>

A review was made of the Scappoose Transportation System Update, Technical Memorandum #6, Future Forecasting, "Trip Table Summary (Trip Generation by TAZ)" December 23, 2013 by DKS (See Appendix). This memorandum identifies 312 PM Peak Hour trips to be generated in TAZ 134 in Year 2035. The 3.72 acres of property proposed to be annexed and rezoned into the city of Scappoose is estimated to generate 131 PM Peak Hour trips. The property represents 7-percent of the total land within the TAZ and represents 42-percent of the total Year 2035 forecast PM Peak Hour volume of 312 trips.

## TRANSPORTATION PLANNING RULE ANALYSIS

The Transportation Planning Rule (TPR) ensures that the transportation network will support additional traffic volumes that result from revisions to adopted plans and land use regulations. Portions of the TPR are included in *italics* below, with responses immediately following.

### 660-012-0060

*(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);*

The proposed zone change will not require changes to the functional classification of existing or planned transportation facilities. Therefore, this section of the TPR is not triggered.

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

The proposed zone change will not change standards implementing the functional classification system. Therefore, this section of the TPR is not triggered.

*(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;*

The types and/or levels of travel and/or access are consistent with the functional classification of an existing or planned transportation facility. Therefore, this section of the TPR is not triggered.

- (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*

The proposed annexation and rezone will not 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. Therefore, this section of the TPR is not triggered.

- (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.*

The proposed annexation and rezone will not 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. Therefore, this section of the TPR is not triggered.

## CONCLUSION

The trip generation analysis and estimated traffic associated with the proposed annexation and rezone of 52.32 acres from Columbia County into the City of Scappoose results in less traffic than identified for the future (Year 2035) traffic volumes and mitigation measures as identified in the recently adopted City of Scappoose TSP 2016. As a result, this section of the TPR is not triggered.

It is acknowledged that as development occurs on the annexed and rezoned property, a Traffic Impact Analysis (TIA) will be required at Site Development Review when the estimated traffic volume generated with the development site meets or exceeds the city TIA thresholds. The TIA will identify the appropriate transportation mitigation measures and proportionate cost share for each development.



## LEGAL DESCRIPTION FOR ANNEXATION TO THE CITY OF SCAPPOOSE

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, AND THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF SCAPPOOSE, STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS;

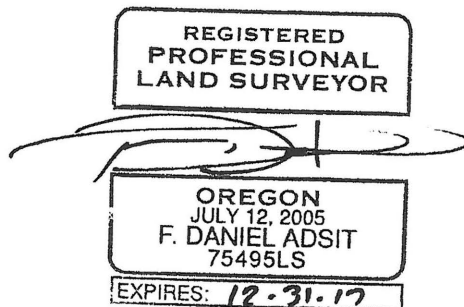
BEGINNING AT THE NORTHEAST CORNER OF PARTITION PLAT 2008-8 AT A POINT ON THE WEST BOUNDS OF NE WEST LANE (COUNTY ROAD D);

- THENCE ALONG THE WESTERLY BOUNDS OF SAID WEST LANE SOUTH 05°41'43" WEST 774.02 FEET TO A POINT;
- THENCE NORTH 82°14'50" WEST 346.57 FEET TO A POINT OF CURVATURE OF A 960.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD OF NORTH 86°07'13" WEST 129.66 FEET;
- THENCE ALONG SAID CURVE A DISTANCE OF 129.75 FEET TO THE POINT OF TANGENCY;
- THENCE NORTH 89°59'30" WEST 573.95 FEET TO THE POINT OF CURVATURE OF A 35.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD OF SOUTH 58°10'33" WEST 36.89 FEET;
- THENCE ALONG SAID CURVE A DISTANCE OF 38.86 FEET TO THE POINT OF RETURN CURVATURE OF A 55.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CHORD OF SOUTH 58°09'25" WEST 57.94 FEET TO THE POINT OF TANGENCY;
- THENCE SOUTH 89°56'40" WEST 57.12 FEET TO A POINT ON THE EAST LINE OF PARCEL 1, PP 2007-10;
- THENCE SOUTH 00°01'51" WEST 160.13 FEET TO A POINT;
- THENCE NORTH 89°57'10" WEST 583.03 FEET TO A POINT;
- THENCE SOUTH 07°15'56" WEST 77.64 FEET TO A POINT;
- THENCE SOUTH 02°23'12" WEST 119.41 FEET TO A POINT;
- THENCE SOUTH 13°56'24" EAST 144.69 FEET TO A POINT;
- THENCE SOUTH 06°19'23" EAST 69.44 FEET TO A POINT;
- THENCE SOUTH 31°12'39" WEST 63.28 FEET TO A POINT;
- THENCE SOUTH 45°52'51" WEST 78.34 FEET TO A POINT;
- THENCE SOUTH 39°53'08" WEST 216.32 FEET TO A POINT;
- THENCE SOUTH 86°25'47" WEST 187.64 FEET TO A POINT ON THE EASTERLY BOUNDS OF THE PORTLAND WESTERN RAILROAD;
- THENCE ALONG THE SAID EASTERLY BOUNDS OF SAID RAILROAD NORTH 03°45'46" WEST 944.57 FEET TO A POINT;
- THENCE LEAVING THE SAID BOUNDS OF PORTLAND WESTERN RAILROAD, ALONG THE WESTERLY BOUNDARY OF THE HEREIN DESCRIBED PROPERTY THE FOLLOWING BEARINGS AND DISTANCES:
- THENCE SOUTH 89°58'13" EAST 143.10 FEET TO A POINT;
- THENCE NORTH 17°51'47" EAST 123.86 FEET TO A POINT;
- THENCE NORTH 01°43'47" EAST 326.38 FEET TO A POINT;
- THENCE SOUTH 82°30'13" EAST 291.87 FEET TO A POINT;
- THENCE SOUTH 09°40'16" EAST 8.47 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF THE SCAPPOOSE CREEK (NOT SURVEYED) AND THE NORTHWEST CORNER OF PARCEL 2, PP 2003-19;
- THENCE ALONG THE APPROXIMATE CENTERLINE OF THE SCAPPOOSE CREEK THE FOLLOWING COURSES AND DISTANCES:
- THENCE NORTH 60°19'36" EAST 48.61 FEET TO A POINT;
- THENCE NORTH 23°03'07" EAST 36.06 FEET TO A POINT;
- THENCE NORTH 02°56'54" EAST 63.30 FEET TO A POINT;
- THENCE NORTH 22°01'58" WEST 109.53 FEET TO A POINT;
- THENCE NORTH 29°24'40" WEST 59.58 FEET TO A POINT;
- THENCE NORTH 02°21'33" WEST 42.76 FEET TO A POINT;
- THENCE NORTH 49°03'59" EAST 27.54 FEET TO A POINT;

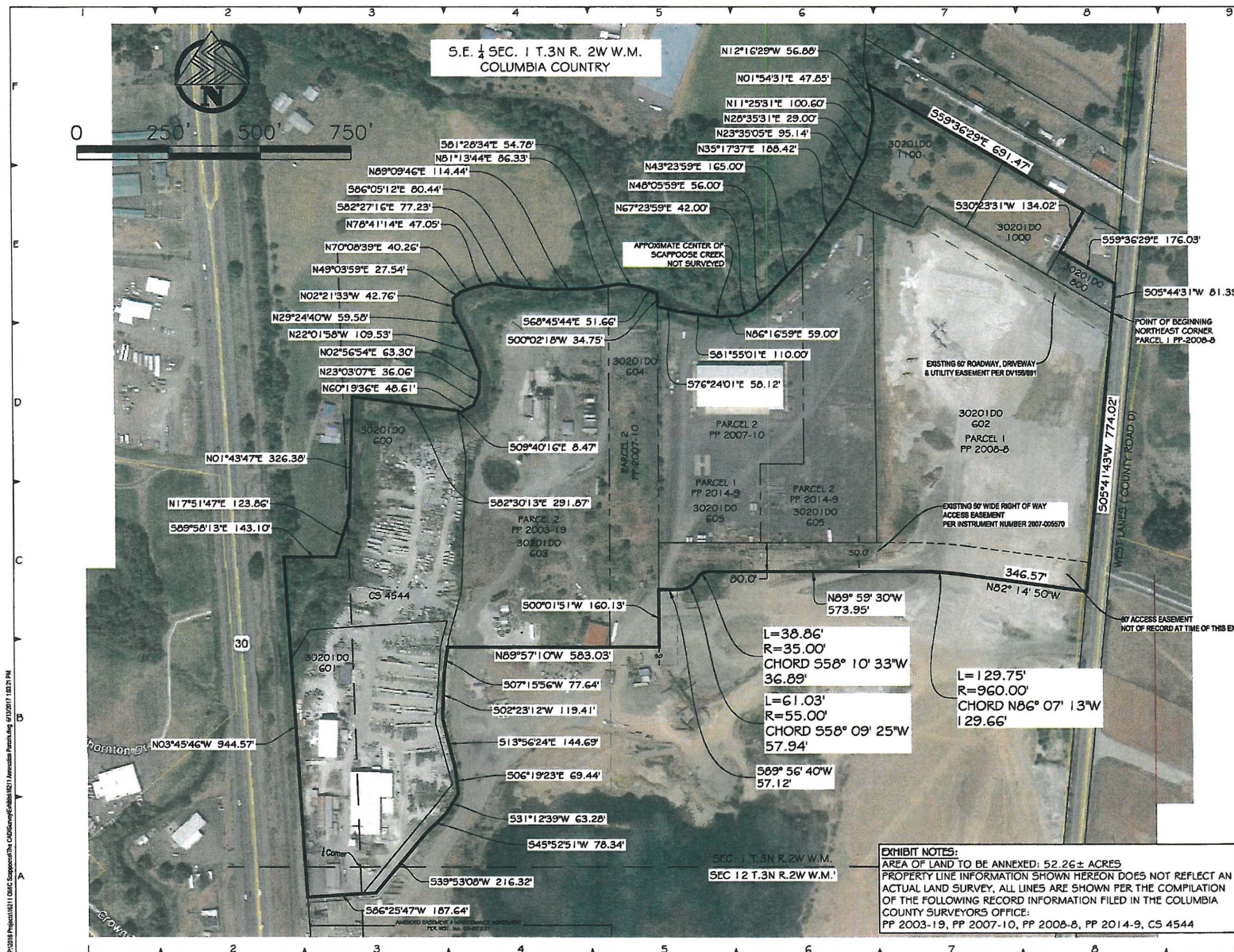
- THENCE NORTH 70°08'39" EAST 40.26 FEET TO A POINT;
- THENCE NORTH 78°41'14" EAST 47.05 FEET TO A POINT;
- THENCE SOUTH 82°27'16" EAST 77.23 FEET TO A POINT;
- THENCE SOUTH 86°05'12" EAST 80.44 FEET TO A POINT;
- THENCE NORTH 89°09'46" EAST 114.44 FEET TO A POINT;
- THENCE NORTH 81°13'44" EAST 86.33 FEET TO A POINT;
- THENCE SOUTH 81°28'34" EAST 54.78 FEET TO A POINT;
- THENCE SOUTH 68°45'44" EAST 51.66 FEET TO A POINT;
- THENCE SOUTH 00°02'18" WEST 34.75 FEET TO A POINT AT THE NORTHWEST CORNER OF PARCEL 1 PP 2017-9;
- THENCE SOUTH 76°24'01" EAST 58.12 FEET TO A POINT;
- THENCE SOUTH 81°55'01" EAST 110.00 FEET TO A POINT;
- THENCE NORTH 86°16'59" EAST 59.00 FEET TO A POINT;
- THENCE NORTH 67°23'59" EAST 42.00 FEET TO A POINT;
- THENCE NORTH 48°05'59" EAST 56.00 FEET TO A POINT;
- THENCE NORTH 43°23'59" EAST 165.00 FEET TO A POINT;
- THENCE NORTH 35°17'37" EAST 188.42 FEET TO A POINT;
- THENCE NORTH 23°35'05" EAST 95.14 FEET TO A POINT;
- THENCE NORTH 28°35'31" EAST 29.00 FEET TO A POINT;
- THENCE NORTH 11°25'31" EAST 100.60 FEET TO A POINT;
- THENCE NORTH 01°54'31" EAST 47.85 FEET TO A POINT;
- THENCE NORTH 12°16'29" WEST 56.88 FEET TO A POINT;
- THENCE LEAVING THE CENTERLINE OF THE SAID SCAPPOOSE CREEK SOUTH 59°36'29" EAST 691.47 FEET TO A POINT;
- THENCE SOUTH 30°23'31" WEST 134.02 FEET TO A POINT;
- THENCE SOUTH 59°36'29" EAST 176.03 FEET TO A POINT ON THE WESTERLY BOUNDS OF WEST LANE (COUNTY ROAD D);
- THENCE ALONG THE WESTERLY BOUNDS OF SAID WEST LANE SOUTH 05°44'31" WEST 81.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 52.26± ACRES

NOTE: DESCRIPTION IS BASED ON COMPILATION OF EXISTING RECORD SURVEYS CS 4544, PP2003-19, PP2007-10, PP2008-8 & PP2014-9. PARCELS, HIGHWAY RIGHT-OF-WAYS AND SCAPPOOSE CREEK NOT SURVEYED.







PREPARED BY:  
  
 PROJECT DELIVERY GROUP  
 Engineers | Land Surveyors | Project Managers

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JULY 12, 2005  
 F. DANIEL ADSIT  
 75495LS

EXPIRES: 12-13-07

DATE SIGNED:

REVISIONS				
NO.	DESCRIPTION	DATE	BY	
1	Revised Acre per Comment	9/13	Ida	

PROJECT NO: 16211  
 HORIZ DATUM:  
 VERT DATUM:  
 HORIZ SCALE: AS SHOWN  
 VERT SCALE: AS SHOWN  
 DESIGN:  
 DRAWN:  
 CHECKED:  
 APPROVED:

SHEET TITLE  
 ANNEXATION  
 EXHIBIT B  
 SCAPPOOSE, OR

PG 1 OF 1

EXHIBIT NOTES:  
 AREA OF LAND TO BE ANNEXED: 52.26± ACRES  
 PROPERTY LINE INFORMATION SHOWN HEREON DOES NOT REFLECT AN ACTUAL LAND SURVEY. ALL LINES ARE SHOWN PER THE COMPILATION OF THE FOLLOWING RECORD INFORMATION FILED IN THE COLUMBIA COUNTY SURVEYORS OFFICE:  
 PP 2003-19, PP 2007-10, PP 2008-8, PP 2014-9, CS 4544



# PRELIMINARY PARTITION PLAT LANDS OF SCOTT PARKER SCAPPOOSE, OREGON

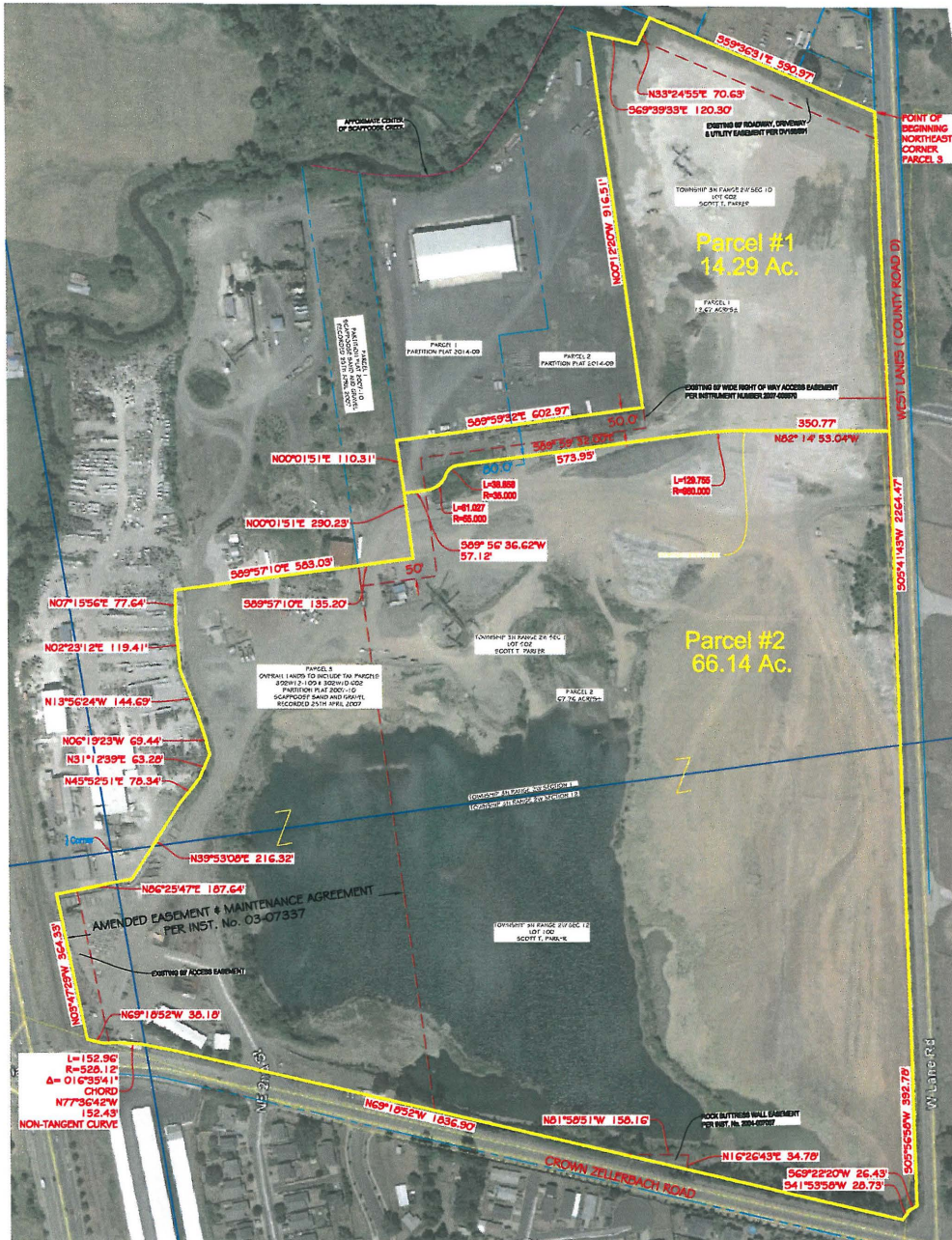
336.19 NE CROWN ZELLERBACH,  
SCAPPOOSE, OR 97056

## SURVEY NARRATIVE:

ALL PROPERTY LINES, BOUNDARY LINES AND THE PROPOSED PARTITION LINE WERE CREATED USING RECORD INFORMATION. NO FIELD SURVEYS WERE COMPLETED OR CERTIFIED BY THIS PRELIMINARY PLAT.

- RECORD INFORMATION USED IS AS FOLLOWS:  
PARTITION PLAT No. 2003-19  
PORTIONS OF THE SE QUARTER SECTION 14 NE QUARTER SECTION 12  
DATED JULY 10, 2003
- PARTITION PLAT No. 2007-10  
FOR SCAPPOOSE SAND AND GRAVEL  
RE-PLAT OF PARTITION PLAT No. 2003-19  
DATED FEBRUARY 16, 2007
- PARTITION PLAT No. 2008-08  
FOR SCAPPOOSE SAND AND GRAVEL  
RE-PLAT OF PARTITION PLAT No. 2007-10  
DATED JANUARY 23, 2008
- PARTITION PLAT 2014-09  
A RE-PLAT OF PP 2007-10  
DECEMBER 04, 2013

AERIAL IMAGE SHOWN HEREON IS FROM GOOGLE MAPPING. LATEST IMAGE DATED 7/23/2016



PROJECT DELIVERY GROUP, LLC  
3772 PORTLAND RD 11E  
SALEM, OR 97301  
503-364-4004  
PROJECT NO. 16211

SHEET 1 OF 1

Exhibit 6



NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Universal Transverse Mercator (UTM) zone 10N. The horizontal datum was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NDA, NNGS12  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was derived from multiple sources. Base map files were provided in digital format by the State of Oregon, the U.S. Fish and Wildlife Service (2008), National Geodetic Survey (2007), U.S. Census Bureau (2007), and USDA-FSA (2005). Information obtained from the State of Oregon was compiled from Oregon Water Resources Department (2008), ORWA Bureau of Land Management (2000), Oregon Department of Forestry (2003), PNW Hydrography Framework (2005), and Oregon Parks and Recreation Department (2008) at a scale of 1:24,000.

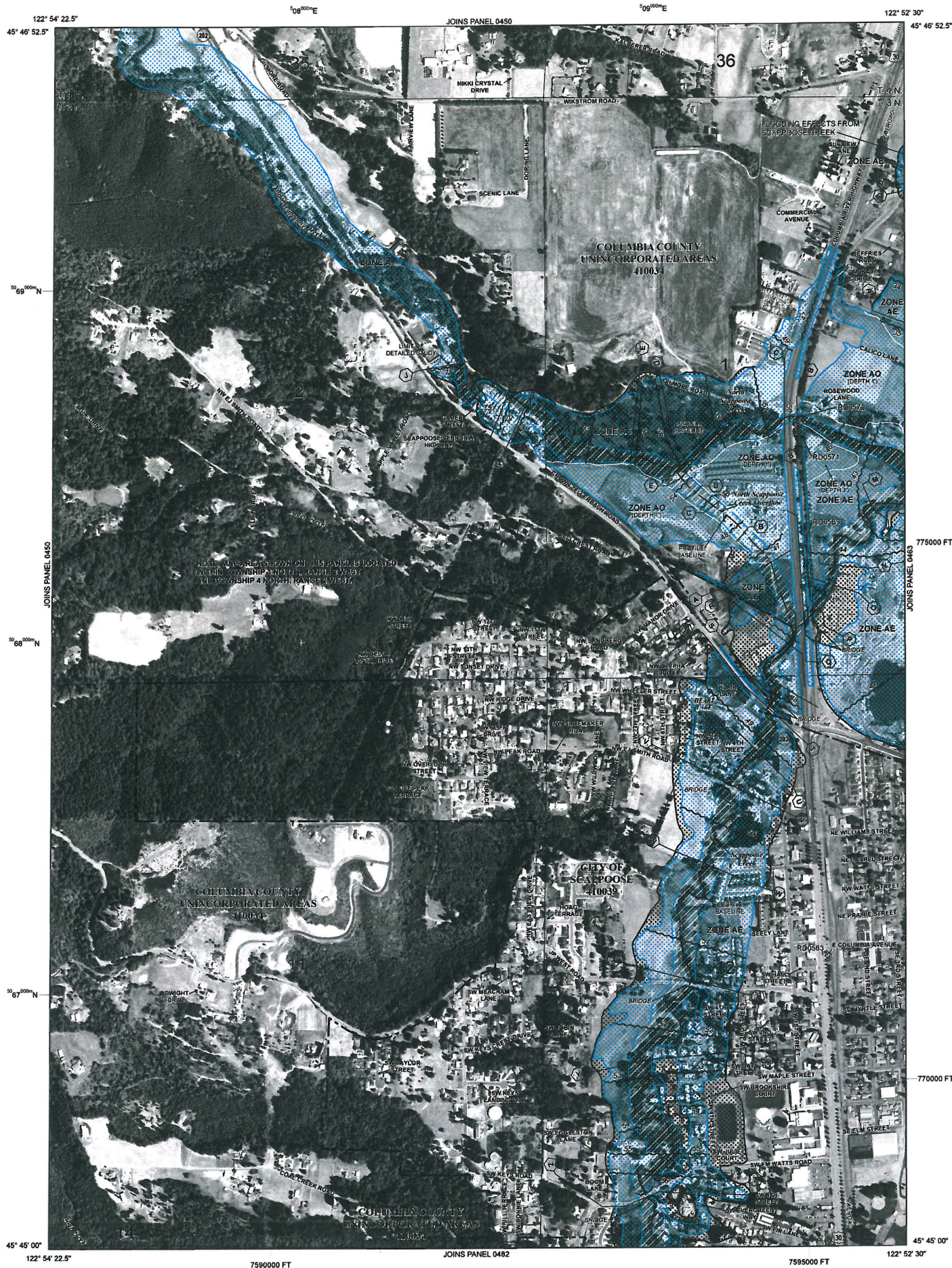
The profile baselines depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the profile baseline, in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

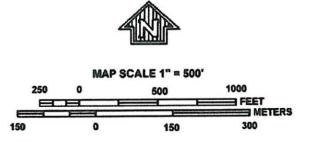
Contact the FEMA Map Service Center (MSC) via the FEMA Map Information eXchange (FMIX) at 1-877-336-2627 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. The MSC may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/nfip>.



LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**
- The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.
- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
- FLOODWAY AREAS IN ZONE AE**
- The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.
- OTHER FLOOD AREAS**
- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- OTHER AREAS**
- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
- OTHERWISE PROTECTED AREAS (OPAs)**
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% Annual Chance Floodplain Boundary
- 0.2% Annual Chance Floodplain Boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Base Flood Elevation line and value; elevation in feet\*
- Base Flood Elevation value where uniform within zone; elevation in feet\*
- \*Referenced to the North American Vertical Datum of 1988
- Cross section line**
- Traverse line**
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere
- 5000-foot ticks: Oregon State Plane North Zone (FIPS Zone 3601), Lambert Conformal Conic projection
- 1000-meter Universal Transverse Mercator grid values, zone 10N
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- Refer to Map Repositories list on Map Index
- EFFECTIVE DATE OF COUNTYWIDE
- EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
- November 26, 2010 - to update corporate limits, to change Base Flood Elevations and Special Flood Hazard Areas, to add roads and road names, to incorporate previously issued Letters of Map Revision, and to reflect updated topographic information.
- For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.
- To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



**NATIONAL FLOOD INSURANCE PROGRAM**

**PANEL 0444D**

**FIRM**

**FLOOD INSURANCE RATE MAP**

**COLUMBIA COUNTY, OREGON AND INCORPORATED AREAS**

**PANEL 444 OF 525**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL	SUFFIX
COLUMBIA COUNTY	410034	0444	D
SCAPOOSE, CITY OF	410039	0444	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**  
41009C0444D

**MAP REVISED**  
NOVEMBER 26, 2010

Federal Emergency Management Agency



## NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

Provisionally Accredited Levee Notes to Users: Check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection for areas on this panel. To maintain accreditation, the levee owner or community is required to submit the data and documentation necessary to comply with Section 65.10 of the NFIP regulations by July 26, 2009. If the community or owner does not provide the necessary data and documentation or if the data and documentation provided indicate the levee system does not comply with Section 65.10 requirements, FEMA will revise the flood hazard and risk information for this area to reflect de-accreditation of the levee system. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtm>.

The projection used in the preparation of this map was Universal Transverse Mercator (UTM) zone 10N. The horizontal datum was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA NWS12  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was derived from multiple sources. Base map files were provided in digital format by the State of Oregon, the U.S. Fish and Wildlife Service (2008), National Geodetic Survey (2007), U.S. Census Bureau (2007), and USDA-FSA (2005). Information obtained from the State of Oregon was compiled from Oregon Water Resources Department (2006), ORWA Bureau of Land Management (2000), Oregon Department of Forestry (2003), PNW Hydrography Framework (2005), and Oregon Parks and Recreation Department (2008) at a scale of 1:24,000.

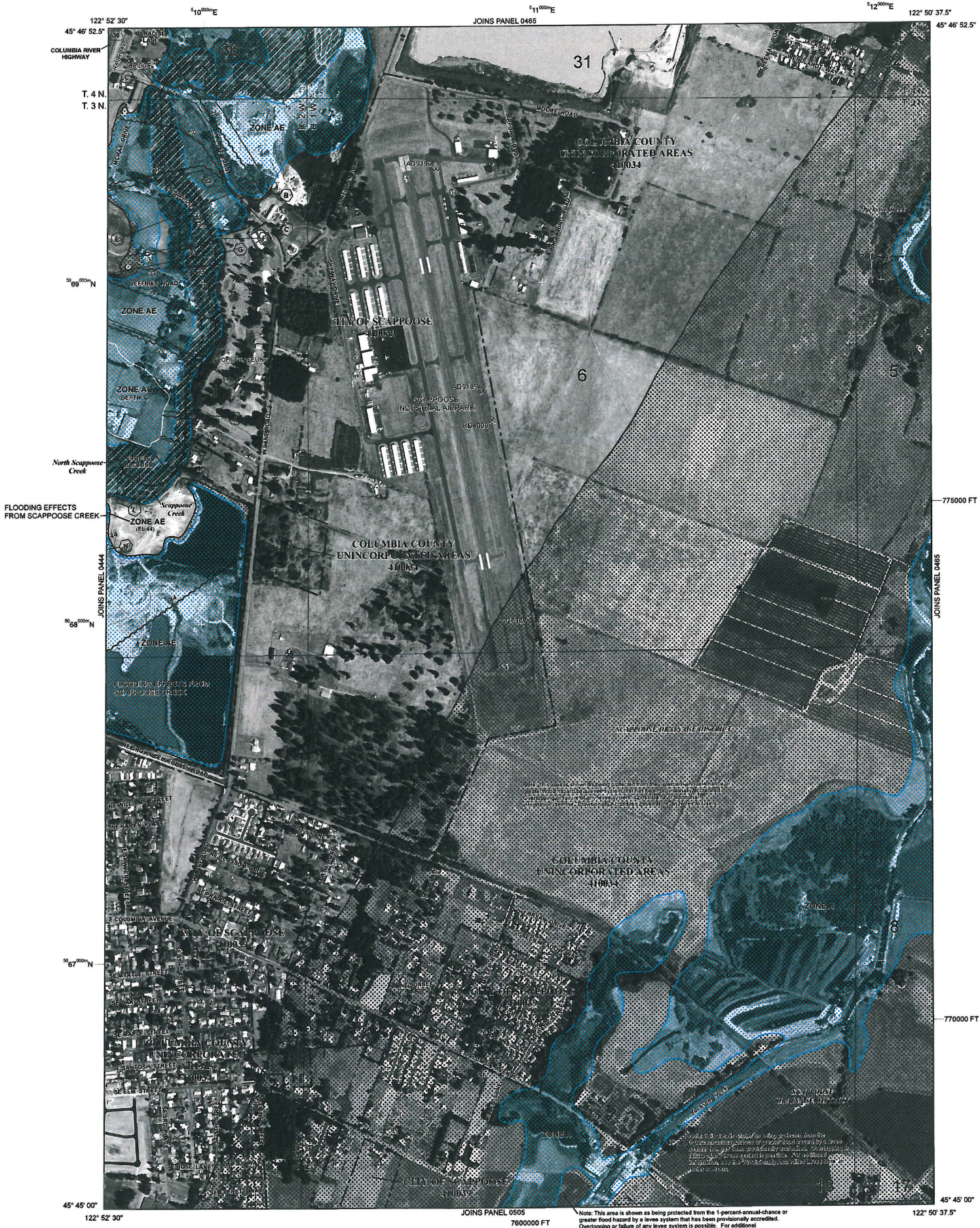
The profile baselines depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the profile baseline, in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the FEMA Map Service Center (MSC) via the FEMA Map Information eXchange FMIX at 1-877-338-2827 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. The MSC may also be reached by Fax at 1-800-358-9620 and its website at <http://mfc.fema.gov>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-338-2827) or visit the FEMA website at <http://www.fema.gov/business/nfip/>.



## LEGEND

**SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, AV, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

**ZONE A** No Base Flood Elevations determined.

**ZONE AE** Base Flood Elevations determined.

**ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

**ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined; For areas of alluvial fan flooding, velocities also determined.

**ZONE AR** Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

**ZONE AR9** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

**ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

**ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

**FLOODWAY AREAS IN ZONE AE**

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

**OTHER FLOOD AREAS**

**ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

**OTHER AREAS**

**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.

**ZONE D** Areas in which flood hazards are undetermined, but possible.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**

**OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% Annual Chance Floodplain Boundary

0.2% Annual Chance Floodplain Boundary

Floodway boundary

Zone D boundary

CBRS and OPA boundary

Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.

Base Flood Elevation line and value; elevation in feet\*

Base Flood Elevation value where uniform within zone; elevation in feet\*

\*Referenced to the North American Vertical Datum of 1988

Cross section line

Transect line

45° 02' 08", 93° 02' 12"

3100000 FT

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere

5000-foot ticks: Oregon State Plane North Zone (FIPS Zone 3601), Lambert Conformal Conic projection

1000-meter Universal Transverse Mercator grid values, zone 10N

Bench mark (see explanation in Notes to Users section of this FIRM panel)

River Mile

MAP REPOSITORIES

Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP

August 18, 1998

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

November 26, 2010 - to update corporate limits, to change Base Flood Elevations and Special Flood Hazard Areas, to add roads and road names, to incorporate previously issued Letters of Map Revision, and to reflect updated topographic information.

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-338-6620.

MAP SCALE 1" = 500'

250 0 500 1000 FEET

150 0 150 300 METERS

**NATIONAL FLOOD INSURANCE PROGRAM**

**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





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	COLUMBIA COUNTY, OREGON (Unincorporated Areas)	<p>A portion of Parcels 2 and 3, as shown on Partition Plat No. 2007-10 recorded as Instrument No. 2007-5571, in the Office of the County Clerk, Columbia County, Oregon</p> <p>The portion of property is more particularly described by the following metes and bounds:</p>
	COMMUNITY NO.: 410034	
AFFECTED MAP PANEL	NUMBER: 41009C0463D	
	DATE: 11/26/2010	
FLOODING SOURCE: SCAPPOOSE CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 45.767941, -122.870613 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83

### DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
Parcel 2-3	--	Partition Plat No. 2007-10	33619 NE Crown Zellerbach	Portion of Property	X (shaded)	--	--	45.0 feet

**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

**ADDITIONAL CONSIDERATIONS** (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION	STUDY UNDERWAY
PORTIONS REMAIN IN THE FLOODWAY	SUPERSEDES PREVIOUS DETERMINATION
FILL RECOMMENDATION	

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis V. Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

### ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### LEGAL PROPERTY DESCRIPTION (CONTINUED)

BEGINNING at the Northeast corner of Parcel 3, said Partition Plat 2007-10, said point being on the West line of West Lane (County Road D); Thence along the East line of said Parcel 3, coincident with the West line of West Lane, South 07°23'35" West, a distance of 950.58 feet; Thence leaving said East line, South 73°07'22" West, a distance of 54.05 feet; Thence North 69°20'48" West, a distance of 117.07 feet; Thence North 06°16'32" West, a distance of 32.02 feet; Thence North 78°18'56" West, a distance of 53.92 feet; Thence South 79°28'30" West, a distance of 28.87 feet; Thence North 38°55'12" West, a distance of 57.93 feet; Thence North 82°57'47" West, a distance of 256.41 feet; Thence North 70°43'51" West, a distance of 102.25 feet; Thence South 85°01'00" West, a distance of 97.16 feet; Thence North 45°47'11" West, a distance of 112.17 feet; Thence North 79°06'24" East, a distance of 198.88 feet; Thence South 88°02'52" East, a distance of 20.07 feet; Thence North 38°28'12" East, a distance of 20.76 feet; Thence South 76°22'51" East, a distance of 22.50 feet; Thence North 32°15'49" East, a distance of 30.58 feet; Thence South 87°28'46" East, a distance of 30.36 feet; Thence North 63°30'35" East, a distance of 50.51 feet; Thence North 46°57'02" East, a distance of 24.38 feet; Thence North 05°51'05" West, a distance of 87.31 feet; Thence North 42°25'52" West, a distance of 45.89 feet; Thence South 81°09'21" West, a distance of 64.30 feet; Thence South 46°09'29" West, a distance of 51.14 feet; Thence South 37°20'48" West, a distance of 80.81 feet; Thence South 75°20'19" West, a distance of 66.14 feet; Thence South 08°37'19" West, a distance of 70.67 feet; Thence South 77°14'24" West, a distance of 31.44 feet; Thence North 36°57'08" West, a distance of 104.88 feet; Thence North 84°29'55" West, a distance of 20.54 feet; Thence South 69°01'17" West, a distance of 46.36 feet; Thence North 57°45'05" West, a distance of 39.83 feet; Thence North 87°39'25" West, a distance of 74.58 feet; Thence South 67°36'15" West, a distance of 64.46 feet; Thence North 74°51'25" West, a distance of 121.77 feet to a point on the Westerly line of Parcel 1, said Partition Plat; Thence along said division line, North 01°50'50" East, a distance of 610.37 feet to a point on the Southerly bank of Scappoose Creek; Thence along said creek bank, South 72°56'15" East, a distance of 85.02 feet; Thence continuing along said creek bank, South 80°23'35" East, a distance of 78.48 feet; Thence continuing along said creek bank, North 83°25'43" East, a distance of 66.60 feet; Thence continuing along said creek bank, North 74°14'14" East, a distance of 32.99 feet; Thence continuing along said creek bank, North 56°48'14" East, a distance of 67.11 feet; Thence continuing along said creek bank, North 48°24'42" East, a distance of 123.21 feet; Thence continuing along said creek bank, North 44°08'58" East, a distance of 79.41 feet; Thence continuing along said creek bank, North 40°02'40" East, a distance of 112.76 feet; Thence continuing along said creek bank, North 36°55'58" East, a distance of 57.80 feet; Thence leaving said creek bank along the boundary of said Parcel 2, South 59°47'32" East, a distance of 47.05 feet to a point marking the Northeast corner of Parcel 2 and the Northwest corner of Parcel 3, said Partition Plat; Thence along the North line of Parcel 3, South 67°47'28" East, a distance of 120.30 feet; Thence continuing along the North line of Parcel 3, North 35°17'00" East, a distance of 70.63 feet; Thence continuing along the North line of Parcel 3, South 57°44'26" East, a distance of 590.97 feet to the place of BEGINNING

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis V. Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

### ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### **PORTIONS OF THE PROPERTY REMAIN IN THE FLOODWAY (This Additional Consideration applies to the preceding 1 Property.)**

A portion of this property is located within the Special Flood Hazard Area and the National Flood Insurance Program (NFIP) regulatory floodway for the flooding source indicated on the Determination/Comment Document while the subject of this determination is not. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation, and any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/about/regoff.htm>.

#### **FILL RECOMMENDATION (This Additional Consideration applies to the preceding 1 Property.)**

The minimum NFIP criteria for removal of the subject area based on fill have been met for this request and the community in which the property is located has certified that the area and any subsequent structure(s) built on the filled area are reasonably safe from flooding. FEMA's Technical Bulletin 10-01 provides guidance for the construction of buildings on land elevated above the base flood elevation through the placement of fill. A copy of Technical Bulletin 10-01 can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/mit/tb1001.pdf>. Although the minimum NFIP standards no longer apply to this area, some communities may have floodplain management regulations that are more restrictive and may continue to enforce some or all of their requirements in areas outside the Special Flood Hazard Area.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis V. Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

### ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### **STUDY UNDERWAY (This Additional Consideration applies to all properties in the LOMR-F DETERMINATION DOCUMENT (REMOVAL))**

This determination is based on the flood data presently available. However, the Federal Emergency Management Agency is currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. When the new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

#### **SUPERSEDES OUR PREVIOUS DETERMINATION (This Additional Consideration applies to all properties in the LOMR-F DETERMINATION DOCUMENT (REMOVAL))**

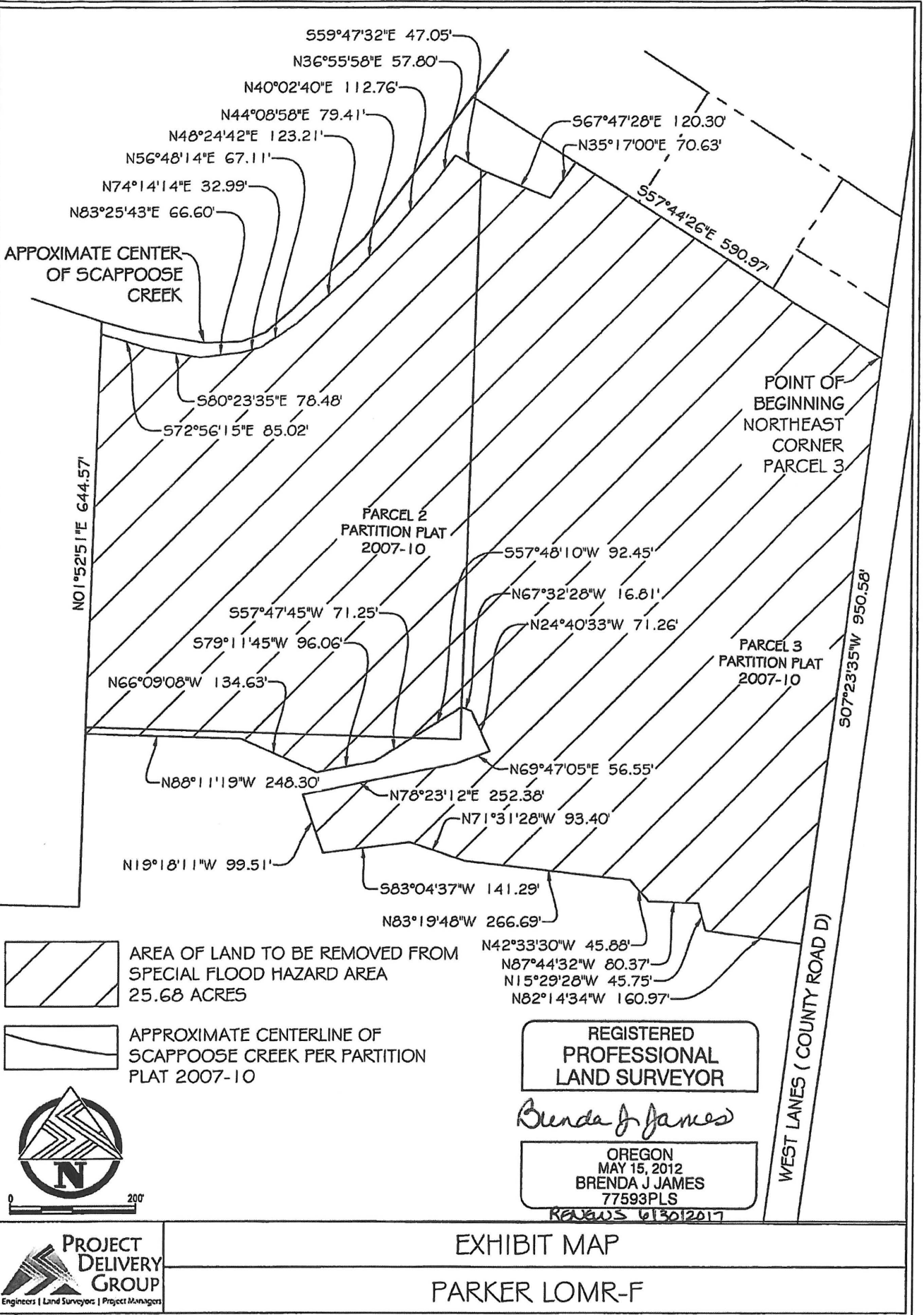
This Determination Document supersedes our previous determination dated 11/22/2016, for the subject property.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Luis V. Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration

PLOT DATE/TIME: 9/14/2016 - 7:45am

\\scd\cdshara\Project\2015 Projects\15205 Scappoose Site LOMR-F\The CUD\Survey\Topo\15205 LOMR-F.dwg





A portion of Parcel 2 and Parcel 3 of Partition Plat 2007-10, as filed in Columbia County records, located in the Northeast quarter of Section 1, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, being more particularly described as;

Beginning at the Northeast corner of Parcel 3, said Partition Plat 2007-10, said point being on the West line of West Lane (County Road D);

Thence along the East line of said Parcel 3, coincident with the West line of West Lane, South 07°23'35" West, a distance of 950.58 feet;

Thence leaving said East line, North 82°14'34" West, a distance of 160.97 feet;

Thence North 15°29'28" West, a distance of 45.75 feet;

Thence North 87°44'32" West, a distance of 80.37 feet;

Thence North 42°33'30" West, a distance of 45.88 feet;

Thence North 83°19'48" West, a distance of 266.69 feet;

Thence North 71°31'28" West, a distance of 93.40 feet;

Thence South 83°04'37" West, a distance of 141.29 feet;

Thence North 19°18'11" West, a distance of 99.51 feet;

Thence North 78°23'12" East, a distance of 252.38 feet;

Thence North 69°47'05" East, a distance of 56.55 feet;

Thence North 24°40'33" West, a distance of 71.26 feet;

Thence North 67°32'28" West, a distance of 16.81 feet;

Thence South 57°48'10" West, a distance of 92.45 feet;

Thence South 57°47'45" West, a distance of 71.25 feet;

Thence South 79°11'45" West, a distance of 96.06 feet;

Thence North 66°09'08" West, a distance of 134.63 feet;

Thence North 88°11'19" West, a distance of 248.30 feet to a point on the extended division line of Parcel 2 and Parcel 3, said Partition Plat;

Thence along said division line, North 01°52'51" East, a distance of 644.57 feet to a point on the Southerly bank of Scappoose Creek;

Thence along said creek bank, South 72°56'15" East, a distance of 85.02 feet;

Thence continuing along said creek bank, South 80°23'35" East, a distance of 78.48 feet;

Thence continuing along said creek bank, North 83°25'43" East, a distance of 66.60 feet;

Thence continuing along said creek bank, North 74°14'14" East, a distance of 32.99 feet;

Thence continuing along said creek bank, North 56°48'14" East, a distance of 67.11 feet;

Thence continuing along said creek bank, North 48°24'42" East, a distance of 123.21 feet;

Thence continuing along said creek bank, North 44°08'58" East, a distance of 79.41 feet;

Thence continuing along said creek bank, North 40°02'40" East, a distance of 112.76 feet;

Thence continuing along said creek bank, North 36°55'58" East, a distance of 57.80 feet;

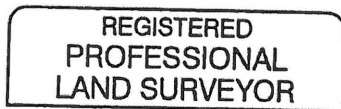
Thence leaving said creek bank along the boundary of said Parcel 2; South 59°47'32" East, a distance of 47.05 feet to a point marking the Northeast corner of Parcel 2 and the Northwest corner of Parcel 3, said Partition Plat;

Thence along the North line of Parcel 3, South 67°47'28" East, a distance of 120.30 feet;

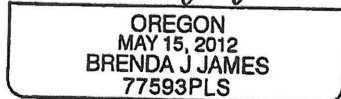
Thence continuing along the North line of Parcel 3, North 35°17'00" East, a distance of 70.63 feet;

Thence continuing along the North line of Parcel 3, South 57°44'26" East, a distance of 590.97 feet to the place of beginning.

The above described tract contains 25.68 acres of land, more or less. Bearing are based on Oregon State Plane Coordinate System 3601.



*Brenda J. James*



*RENEWS 6/30/2017*



Scappoose  
 Local Wetlands Inventory

Fig. 4A

**Pacific Habitat Services, Inc.**  
9450 SW Commerce Circle, Suite 180  
Wilsonville, Oregon 97070  
Phone: (503) 576-0652

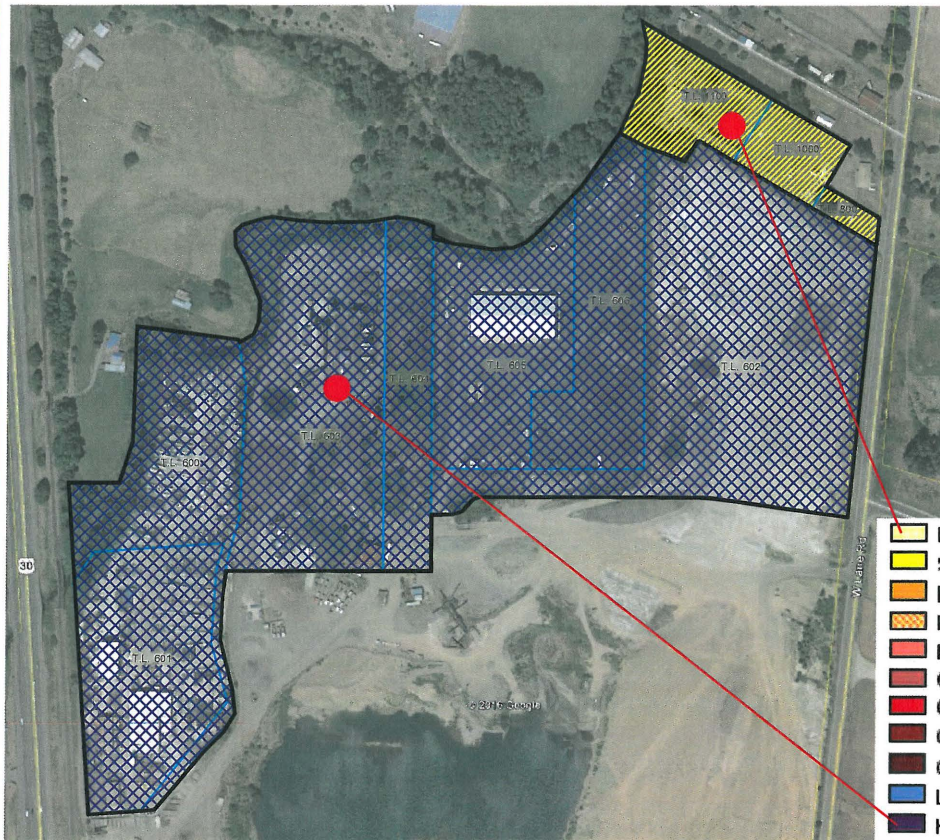


The logo for Pacific Habitat Services, Inc. (PHS) is located in the bottom right corner. It features a stylized landscape within a rectangular border. On the left, a tall, thin tree stands. In the center, a winding river flows from the top right towards the bottom left. On the right side of the river, a bird is depicted in flight, facing left. The letters 'PHS' are prominently displayed in the upper left portion of the logo area.

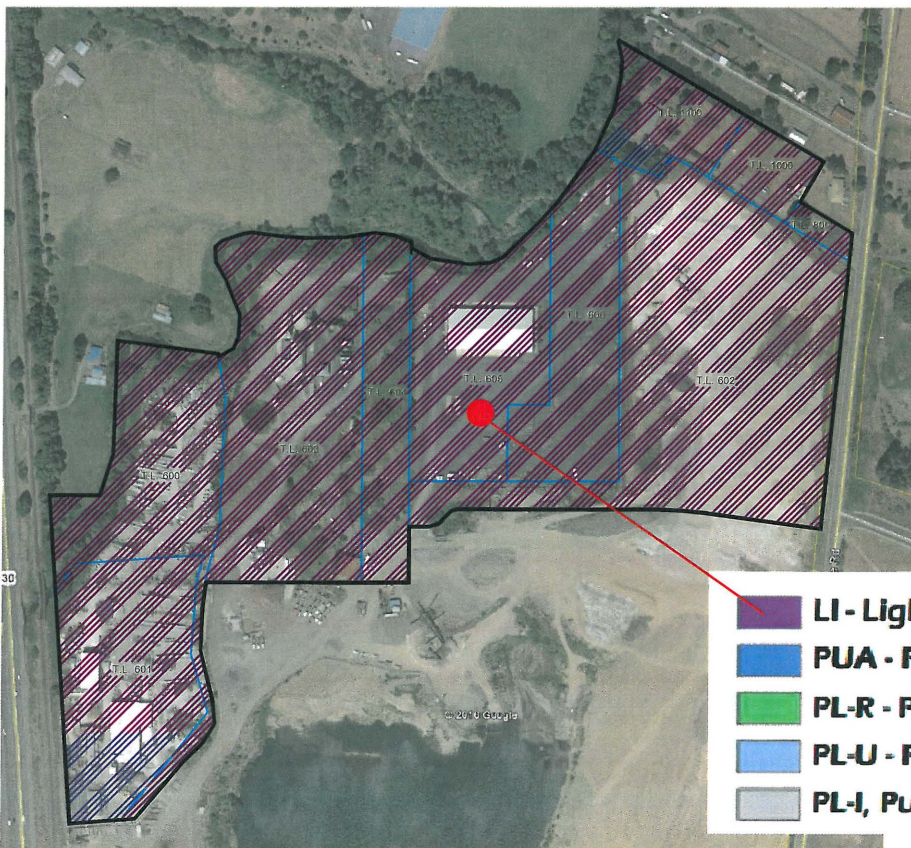
DATE: December, 1998  
 BASE MAP INFO: Supplied by City of Seaplace  
: K.C.M. Engineering  
 JOB NO.: 5-1234







Existing Columbia County Zoning



Proposed City of Scappoose Zoning

EXISTING & PROPOSED ZONING

O.M.I.C. ANNEXATION





# FIRE MARSHAL

Columbia River Fire & Rescue / Scappoose Fire District

Exhibit 12



Date: 06/30/2017

Lauric Oliver

RE:

Oregon Institute of Technology

ANX1-17 and ZC1-17

Dear Lauric:

I received the Referral and Acknowledgement regard the above referenced project. Based on what was submitted, the fire district has a few comments and findings, but we have no objections.

1. Address signs meeting the addressing standard needs to be posted.
2. Driveway and Vertical clearance requirements need to be met.
3. Development of this property may need to meet stringent access and water supply needs based upon a project as it is submitted.
4. Current and Future development and properties will need to meet all current Oregon Fire Code Requirements
5. Current and Future development and properties will need to meet the Current Fire District Ordinance and resolutions pertaining to fire protection and fire prevention.

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

Sincerely,

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



# 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

July 14, 2017

TO: Laurie Oliver, City Planner Scappoose  
FROM: Ken Shonkwiler, ODOT Transportation Planner  
SUBJECT: Land Use Action Referral (ANX1-17—ZC1-17)

Thank you for the opportunity to comment on this annexation and zone change.

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 (including annexations and zone changes), 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) or that such amendments are concurrent with local and state plans.

Scappoose recently adopted a Transportation Systems Plan (TSP) that accounted for the future development, annexation, and zone change involving this location. After further review, the TPR Analysis and annexation/zone change remains consistent with the TSP and is consistent with the city's comprehensive plan. ODOT is in agreement with the proposed annexation and zone change as the Transportation Planning Rule OAR 660-012-0060 (9) has been satisfied through this concurrence.

The attached Transportation Planning rule analysis yielded no additional comments from ODOT Region 2 Traffic. The trip generation under both the current and proposed zoning are appropriate. In summary, the TPR analysis finds the PM peak hour trips as below:

	TAZ 104 (36%)	TAZ 134 (7%)
TSP 2013 Trips	113 (41)	54 (4)
TSP 2035 Trips	614 (221)	312 (22)
2013 Current Zoning (HM)	406	3
2035 Proposed Zoning (LI)	729	395

Please contact Ken Shonkwiler with any additional questions.





720 SW Washington St.  
Suite 500  
Portland, OR 97205  
503.243.3500  
www.dksassociates.com

## MEMORANDUM

DATE: July 19, 2017

TO: Laurie Oliver, City of Scappoose

FROM: Reah Flisakowski, PE

SUBJECT: OMIC Proposed Rezone and Transportation Planning Rule Analysis

P16005-0052

DKS Associates has reviewed the OMIC Transportation Planning Rule Analysis<sup>1</sup> submitted by the applicant to support a proposed zone change and annexation in the City of Scappoose. The subject property is 52.32-acres in size and generally bounded by US 30 to the west, Crown Zellerbach Road to the south, West Lane Road to the east and North Scappoose Creek to the north in Scappoose, Oregon. The general comments and listing of recommended conditions of approval are based on a review of the submitted materials and findings from the Scappoose Transportation System Plan (TSP)<sup>2</sup>.

## TRANSPORTATION PLANNING RULE ANALYSIS

Key findings from the proposed zone change and TPR analysis include:

- The proposed application would rezone 48.6 acres of land currently zoned Heavy Manufacturing to Light Industrial, located within Transportation Analysis Zone (TAZ) 104 from the TSP. The rezone property covers approximately 36 percent of TAZ 104.
- The trip generation estimate for the property in TAZ 104 under the current zoning is 406 PM peak hour trips, under the proposed zoning is 296 PM peak hour trips. This is a decrease of 110 PM peak hour trips.
- The TSP year 2035 findings were based on the entire TAZ 104 generating 614 PM peak hour trips, resulting in 221 PM peak hour trips allocated to the rezone property.
- The proposed application would rezone 3.72 acres of land currently zoned Rural Residential 5 Acre to Light Industrial, located within TAZ 134. The rezone property covers approximately 7 percent of TAZ 134.
- The trip generation estimate for the property in TAZ 134 under the current zoning is 3 PM peak hour trips, under the proposed zoning is 131 PM peak hour trips. This is an increase of 129 PM peak hour trips.
- The TSP year 2035 findings were based on TAZ 134 generating 312 PM peak hour trips, resulting in 22 PM peak hour trips allocated to the rezone property.

<sup>1</sup> Transportation Planning Rule (TPR) Analysis, Nemariam Engineers & Associates, LLC, June 12, 2017 and OMIC Annexation and Rezone – Application of the Transportation Planning Rule Analysis When Considering Lands to be Annexed and Rezoned into the City of Scappoose, Project Delivery Group, June 26, 2017.

<sup>2</sup> Scappoose Transportation System Plan, DKS Associates, adopted September 6, 2016.

July 10, 2017

Laurie Oliver  
City Planner  
City of Scappoose  
52610 NE 1<sup>st</sup> Street, Suite 120  
Scappoose, OR 97056

**Re: Proposed Annexation – Oregon Manufacturing Innovation Center**

Dear Members of the Planning Commission and City Council:

We represent Scott Parker and Scappoose Sand & Gravel. Scappoose Sand & Gravel is the owner of one of the parcels which, together with parcels owned by O.I.T, Cascade Concrete Products, Baker Rock, the Masog family and Dana Parker, City of Scappoose has proposed for annexation. At the outset, we want to stress that Mr. Parker is very supportive of the proposed annexation. However, we want to make sure that the annexation does not jeopardize the current uses of the properties proposed for annexation or impose unusual additional costs on the property owners.

The Scappoose Sand & Gravel property and most of the other properties proposed for annexation are currently zoned Heavy Manufacturing (M-1) under the Columbia County zoning ordinance. There are also three tax lots zoned Rural Residential (RR-2) proposed for annexation. All of these properties are currently operating as uses expressly permitted within the existing county zoning. It is our understanding that upon annexation all of the properties would be rezoned to L1-Light Industrial under the city's zoning ordinance.

The City of Scappoose and the State of Oregon have specific requirements related to mitigating the traffic impacts of future development. The *Transportation Planning Rule* adopted by the state is intended to establish how and where growth could occur in the state, and mitigation measures to satisfy development and associated population growth. We understand that the properties currently proposed to be annexed were identified in the City's Transportation System Plan (TSP) with traffic volumes and roadway improvements appropriate for the light industrial zone. As such, we understand that uses allowed within the light industrial zone will not trip the TPR or require any transportation mitigation measures.

The city's Heavy Industrial zoning most closely describes the current uses on these properties—specifically the uses on the Baker Rock, Cascade Concrete and Scappoose Sand & Gravel properties. While our intent was to bring these properties in as Heavy Industrial, the impacts on traffic in terms of vehicle trips generated exceed the TPR threshold and the necessary transportation mitigation measures may be unachievable or cost prohibitive. The alternative is to bring all the properties in as Light-Industrial which lessens the number of trips generated and provides for compliance with the TPR. As a result, no additional mitigation measures would be required. The Baker Rock, Cascade Concrete, Scappoose Sand & Gravel and the residential properties would then become non-conforming uses.

Our concern is in maintaining each property owner's ability to continue operating their business and residential activities. The owners are only willing to support annexation if, as a condition of the

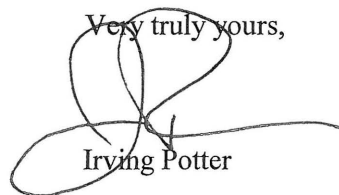


Laurie Oliver  
July 11, 2017  
Page 2

zoning and annexation approval, their properties are permanently granted non-conforming use status. The existing uses would need to be maintained without the imposition of transportation mitigation measures or the uses being revoked until such time as the properties are redeveloped and the non-conforming uses abandoned. Further, support for annexation will require this commitment from the City to be written as a Condition of Approval for the annexation and zone change.

We look forward to working with the City to complete the proposed annexation. We are available to discuss these matters with you at your convenience.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'P' followed by a horizontal line and a small upward stroke.

Irving Potter

July 20, 2017

Chris Negelspach  
City of Scappoose  
33568 E. Columbia Ave.  
Scappoose, OR 97056

Subject: Oregon Manufacturing Innovation Center Annexation

Dear Chris:

Below outlines conceptual analyses conducted to support the City's efforts to identify impacts to the water and sewer system from the annexation of the Oregon Manufacturing Innovation Center (OMIC) and surrounding area. Infrastructure recommendations and a short description of methodology and assumptions are provided below.

### Water

The 2001 Water Master Plan Update identified the City will need to construct new supply and storage to meet growth within its urban growth boundary (UGA). Recommended infrastructure for each are summarized below.

### Storage

The 2001 Water Master Plan Update identified the City will require additional storage to meet future growth; therefore it is recommended OMIC contribute to a future storage reservoir. The OMIC development will be served by the City's Low Zone, which is served by reservoirs at the Keys Road Treatment Plant. The 2001 Plan reservoir volume criteria is:

$$\text{Storage} = (3 * \text{ADD}) + \text{fire flow}.$$

Where ADD is the average day demand and fire flow are 3,500 gallons per minute (gpm) for 3 hours based on the Fire Marshall's general fire flow requirement for non-residential sites.

The Low Zone currently has sufficient storage to meet fire flows; therefore, it is recommended that OMIC only contribute based on the operational/equalizing/emergency volume equal to 3\*ADD.

The ADD is calculated based on the following information that is consistent with sanitary sewer flows estimates.

- Water use of 1,250 gallons per day per acre (gpd/acre).
- 52 acres of development.
- Approximately 90 percent of land is developable (consistent with the City's recent annexation applications).

The ADD would therefore be approximately 58,500 gallons per day (gpd) and storage requirements of 3\*ADD would be approximately 175,000 gallons.



It is anticipated any future City reservoir volume will be at least 300,000 gallons; therefore, it is recommended that OMIC contributes to a larger storage project at a to-be-determined location.

### Supply

The City will require additional supply to meet future growth. Consistent 2001 Water Master Plan Update and current operational limitations, a new well should be constructed to aid in serving the OMIC annexation. Based on the City's existing wells, it is anticipated that the new well will require treatment for iron and manganese. Therefore, we recommend the well be constructed near the Miller Road Treatment Plant that has approximately 300 gpm of unclaimed treatment capacity. In addition to the well, a supply transmission main will likely be required from the new well to the existing treatment plant.

### Distribution

At this time, the City has insufficient tools to analyze the capacity of the pipe distribution system supplying the annexation area. Consistent with industry practice, it is recommended that the development create a loop from NE Crown Zellerbach Rd and NE West Lane Rd to facilitate system operation.

The City Fire Marshall has established a general fire flow requirement of 3,500 gpm for non-residential land uses as part of the ongoing 2018 Water Master Plan Update. Given the 3,500 gpm non-residential fire flow requirement and the City's policy to maintain velocities at or below 8 feet per second (ft/sec), it is anticipated the pipe diameters will exceed the City's minimum of 8-inch sizing and the annexation area will need to be well looped.

Note, the Fire Marshall may establish site-specific fire flow requirements in excess of the general requirement.

### Sewer

#### Sewer Flows

Sewer flows for the OMIC Annexation area and surrounding areas are shown in Exhibit A. The study area was developed based on the City's current understanding of potential sewer flows that may impact the annexation area.

Sewer flows were calculated based on the design methodology outlined in the Public Works Design Standards (PWDS). The sewer design flow in gpd is then calculated as:

$$\text{Total Daily Sewer Flow} = \text{Acres} * (1,000 + \text{DSF} * \text{MIN}(5.756 - 0.232 * \text{LN}(\text{DSF}), 3.3))$$

where:

DSF = Daily Sanitary Flow in gpd

LN = Natural Logarithm of Daily Sanitary Flow

A DSF of 1,250 gpd/acre was used for light industrial consistent with the Staff report for the Land Use Action Referral (ANX1-16/ZC2-16) for the East Airport UGA annexation. Residential DSF was estimated at 1,613 gpd/acre based on a population of 12.5 persons per acre and a rate of 129 gpd per capita from the 1998 Sewer Master Plan. The calculated sewer flows are presented in Table 1, where the area was assumed to be 90 percent developable when calculating flows. The OMIC Annexation area is anticipated to produce approximately 239,850 gpd or 167 gpm.

Table 1 [Sewer Flows](#)

Area	Loding Node	Land Use	Area <sup>1</sup>	Contributing Area	Daily Sewer Flow (gpd/acre)	Total Daily Sewer Flow (gpd/acre)	Sewer Flow (gpd)	Sewer Flow (gpm)
OMIC UGA	Z5	Industrial	52	90% of Total	1,250	5,125	239,850	167
West Ln	Z5	Industrial	100	90% of Total	1,250	5,125	461,250	320
NE Wagner Ct	Y1	Industrial	46	90% of Total	90% of Total	90% of Total	90% of Total	90% of Total
Airport	X10	Industrial	50	90% of Total	90% of Total	90% of Total	90% of Total	90% of Total
Mobile Ln	X3	Industrial	84	90% of Total	90% of Total	90% of Total	90% of Total	90% of Total
Bird Rd	W3	Residential	15	90% of Total	90% of Total	90% of Total	90% of Total	90% of Total
East Airport UGA <sup>1</sup>	X1	Industrial	268	90% of Total	90% of Total	90% of Total	90% of Total	90% of Total

Notes:

- 1) East Airport UGA area from the Staff report for the Land Use Action Referral (ANX1-16/ZC2-16)
- 2) gpd = gallons per day
- 3) gpm = gallons per minute



### Collection System

A US EPA SWMM model was developed for the City's existing sewer system in the study area (Exhibit A) constructed for the Aero Business Center. The model configuration was based on as-built drawings that included pipe diameters, material, length, pipe inverts, and manhole rim elevations. All piping north of manhole X4 is 8 inch PVC and all piping south and along Bird Rd is 21 inch PVC.

For conceptual modeling purposes, the PVC piping was given a manning's roughness of 0.01 and minor losses of 0.15 were attributed to the entrance and exit of manholes. A boundary condition was established along E Columbia Ave, which is anticipated to be upsized to 30 inches in the future; therefore, a fixed head boundary condition of 3.5 feet was conservatively assumed. Sewer flows were loaded to manholes presented in Table 1. The model was simulated using SWMM's dynamic wave routing model.

Model results were evaluated to determine if existing piping surcharged (water rising into the manhole) under future development flows. Capacity limitations were found for the 8 inch piping directly downstream of NE Wagner Ct where the north and western spurs combine (Manholes X6 and X5). A profile of the anticipated water elevation is provide in Exhibit B. The surcharging can be relieved by upsizing approximately 613 feet of pipe from 8 inches to 12 inches from Manhole X6 to X4. Downstream of X4 the pipe transitions to 21 inches and has substantial remaining capacity. The resulting profile of the improved system is provided in Exhibit C.

### Pump Station

Sewer flows from the OMIC Annexation area are anticipated to be pumped to the existing sewer on NE Wagner Ct. It is recommended the pump station be sized for approximately 500 gpm to convey both OMIC and future regional flows from the western side of W Lane Rd (approximately 100 acres). The pump station may be built to its full capacity initially or could be designed to expand as regional development occurs to limit.

Chris Negelspach  
City of Scappoose  
July 20, 2017

Page 5

## Treatment

Based on the work completed under Wastewater Facilities Plan Update currently under contract with the City, the following unit processes will need to be upsized to hydraulically accommodate to OMIC flow of 167 gpm:

- Influent pump station (IPS) and headworks (screening and grit removal),
- Hydraulic improvements between existing aeration basin and secondary clarifiers,
- Ultraviolet (UV) Disinfection system, and
- Effluent pump station modifications.

These unit processes are proposed under Phase 1 of the Capital Improvement Plan (CIP). The total contribution from OMIC area is approximately 5 percent of the total flow for Phase 1 design.

Please let us know if you have any questions concerning our analyses.

Sincerely,

CAROLLO ENGINEERS, INC.



Daniel L. Reisinger

DLR:tlh

Enclosures: Exhibit A - Study Area  
Exhibit B - Sewer Deficiency Profile  
Exhibit C - Sewer Deficiency Eliminated with Improvements

cc: Jude Grounds, Bhargavi Ambadkar



## Exhibit A - Study Area

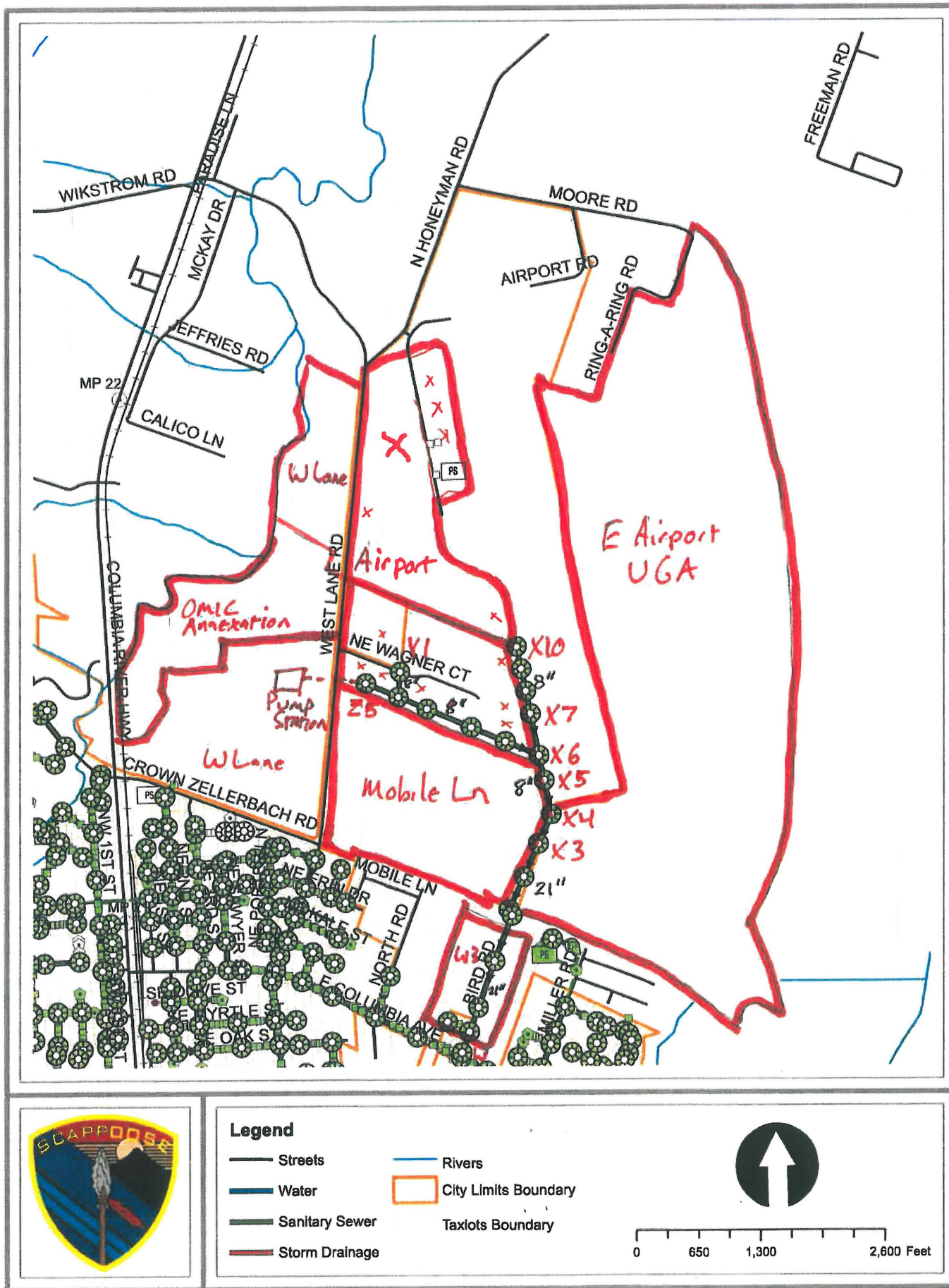


Exhibit B  
Sewer Deficiency Profile

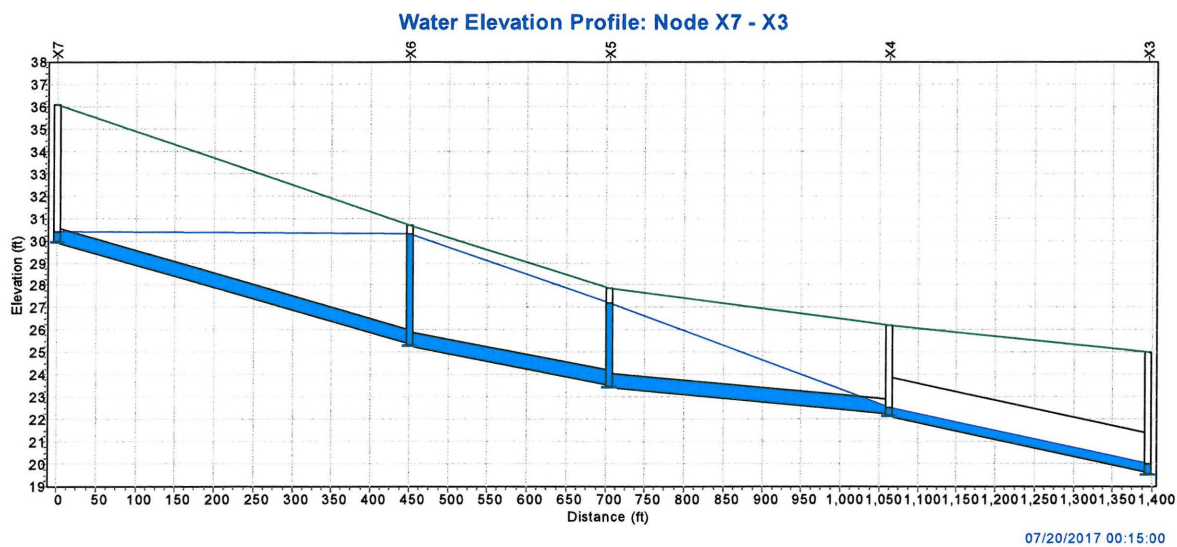
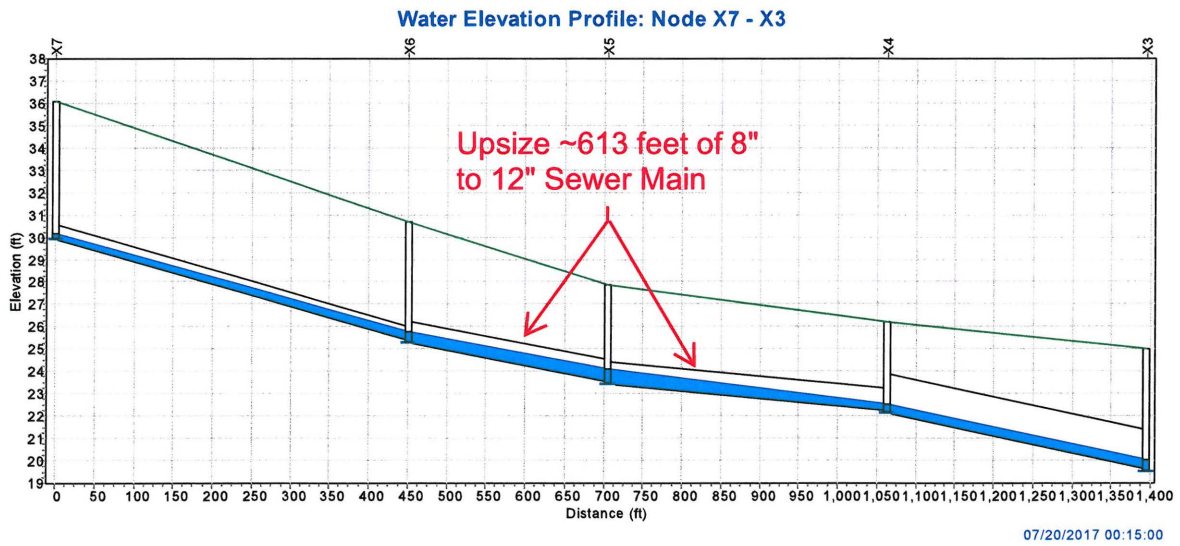




Exhibit C  
Sewer Deficiency Eliminated  
with Improvements



AFTER RECORDING RETURN TO:  
City of Scappoose  
33568 E. Columbia Ave.  
Scappoose, OR 97056

---

This space provided for recorder's use.

**IRREVOCABLE WAIVER OF REMONSTRANCE  
AND CONSENT TO LOCAL IMPROVEMENT FORMATION AND  
ASSESSMENT  
CITY OF SCAPPOOSE, OREGON**

Property Description:

Columbia County Assessor Map No. \_\_\_\_\_, and as described in the legal description (Exhibit A), attached hereto and incorporated herein ("the Property").

Owner(s) Name:

\_\_\_\_\_

Owner(s) filed an application to annex the Property to City. On \_\_\_\_\_ City approved Land Use Action Referral ANX1-17/ZC1-17, including findings that adequate sewer facilities, water capacity, water storage and other facilities are not available to the Property. In lieu of denying the annexation, the Planning Commission and Owner(s) agreed to conditions of approval granting deferred construction of required improvements, provided that the Owner assure provision of the improvements through formation of a local improvement district, advance financing improvement district, or by any other means. Subsequently, the City Council determined that it is in the public's



interest to annex the Property now, rather than to delay annexation until adequate public services and facilities are available, provided that the owner complies with the conditions of approval.

Owner acknowledges City's legal authority to require that Owner construct certain public improvements to serve the Property. The required public improvements subject to the Waiver and Consent consist of:

1. The owners shall construct a public sanitary sewer pump station and force main to convey both the OMIC annexation area and future regional flows, approximately 500 gpm, and connect to the sanitary sewer system in Wagner Court. The pump station may be built to its full capacity initially or could be designed to expand as regional development occurs. The owners shall be responsible for securing any necessary easements to cross private property.
2. The owners shall construct a municipal well with approximately 300 gpm capacity and transmission line as needed to connect to the City's treatment plant at Miller Road, at a site approved by the City.
3. The owners shall construct a municipal water storage tank, at a site approved by the City, with approximately 175,000 gallon capacity or funds proportionate to this cost for City construction of a larger tank.

Owner agrees that the improvements to be built will constitute "local improvements" as defined in Oregon law and Scappoose Municipal Code chapter 3.04 that will directly enhance and benefit the Property. Owner agrees that City may levy the entire cost of the improvements against the area annexed pursuant to ANX1-17-ZC1-17, to be apportioned among the annexed properties, with the exception of Tax lots 800, 1000, and 1100, based on benefit as determined in the Report or as modified and approved by City Council, and that the cost shall be an assessment and lien against the Property.

In consideration of annexation approval and deferred construction of the required improvements, Owner, for itself, its heirs, executors, successors and assigns, hereby **IRREVOCABLY CONSENTS TO AND WAIVES** any right it otherwise may have to remonstrate against or object to: City's formation of a Local Improvement District that includes the Property, construction of the public improvements previously noted and levy of assessment liens for the proportionate cost of the public improvements as provided in the Report.

Owner further for itself, its heirs, executors, successors and assigns, hereby **IRREVOCABLY WAIVES** any and all defects and irregularities, known or unknown, current and in the future, in any proceeding for formation of such Local Improvements District, for the certification of the cost of the improvements and for the levying of assessments for same, including but not limited to the giving of notice of any proceeding concerning same. Nothing herein shall constitute a waiver of any right Owner otherwise may have to provide testimony in opposition to or regarding the proposed method of

assessment for the improvements or the computation of the proportionate cost of improvements to be levied against the Property.

Owner further agrees for itself, executors, successors and assigns hereby **IRREVOCABLY WAIVES** any claim against the City, known or unknown, current or future, to the effect that the improvements deferred by this agreement constitute unlawful exactions or takings of property without compensation.

This Waiver and Consent is in addition to, and not in lieu of, any conditions of approval imposed on specific development applications, and any City fees and charges, including but not limited to SDC's. Applicant shall record this document in the deed records of Columbia County, Oregon. This agreement and waiver shall expire without further notice and have no further legal effect if the City has not commenced proceedings to form a Local Improvement District that includes this property for some or all of the improvements set out above, or the substantial equivalent of same, within twenty (20) years from the date of execution of this waiver.

**This document affects your legal rights. By executing this Consent and Waiver, you are representing that you have had an opportunity to consult with legal counsel, have read, understand and knowingly agree to the terms herein.**

**OWNER(S)**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_, Owner

\_\_\_\_\_, Owner

\_\_\_\_\_, Owner

STATE OF OREGON     )  
  ) ss.  
County of Columbia    )

Personally appeared the above named \_\_\_\_\_ and  
acknowledged the foregoing instrument to be a voluntary act.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_



## CITY OF SCAPPOOSE

By: \_\_\_\_\_

Its: City Manager

STATE OF OREGON           )  
County of Columbia         ) ss.

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ as City Manager of City of Scappoose.

NOTARY PUBLIC FOR OREGON  
My Commission Expires: \_\_\_\_\_

# July 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						<b>1</b> Scappoose Farmers Market 9 am - 2pm
<b>2</b>	<b>3</b> Work Session 6:30 p.m. City Council 7pm	<b>4</b> City offices closed 	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b> Scappoose Farmers Market 9 am - 2pm
<b>9</b>	<b>10</b>	<b>11</b> Joint City Council/Planning Commission Work Session to Discuss Housing Needs Analysis 5:30 p.m.	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b> Scappoose Farmers Market 9 am - 2pm .....
<b>16</b>	<b>17</b> Work Session 6pm City Council 7pm	<b>18</b>	<b>19</b>	<b>20</b> EDC ~ noon  Cancelled; Park & Rec 6:00 p.m.	<b>21</b>	<b>22</b> Scappoose Farmers Market 9 am - 2pm ***** Bocce Tourn 8am- 6pm Veterans Park
<b>23</b>  <b>30</b>	<b>24</b> Joint City Council & Planning Commission work session: Housing Needs 5:30pm <b>31</b>	<b>25</b>	<b>26</b>	<b>27</b> Planning Commission 7:00 p.m.	<b>28</b>	<b>29</b> Scappoose Farmers Market 9 am - 2pm



# August 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 National Night Out ~ 5PM Parking lot behind City Hall	2	3	4	5 Scappoose Farmers Market 9 am - 2pm WINGS & WHEELS 10AM
6	7 City Council work session 6pm City Council 7pm	8	9	10	11	12 Scappoose Farmers Market 9 am - 2pm
13	14	15	16	17	18	19 Scappoose Farmers Market 9 am - 2pm
20	21 City Council work session 6pm City Council 7pm	22	23	24 Planning Commission 7pm	25	26 Scappoose Farmers Market 9 am - 2pm
27	28	29	30	31		