



SCAPPOOSE
Oregon

SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

Thursday, August 31st, 2017 at 7:00 p.m.

1.0 CALL TO ORDER

2.0 ROLL CALL

3.0 APPROVAL OF MINUTES

3.1 July 27th, 2017 meeting

4.0 CITIZEN INPUT

5.0 NEW BUSINESS

5.1 DOCKET # 1-17 FENCE

The City of Scappoose is requesting approval of a Fence Over 8 Feet Tall at the Dog Park. The site is located at Veterans Park, Columbia County Assessor's Map #3212-BC-00100.

Format: Quasi-Judicial Land Use Hearing

5.2 DOCKET # SB1-17, SLDP1-17 ** REMOVED, to be rescheduled.**

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 items & full packets can be viewed on City's website calendar links.

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SCAPPOOSE *Oregon*

SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

Thursday, July 27th, 2017 at 7:00 p.m.

1.0 CALL TO ORDER

2.0 ROLL CALL

Carmen Kulp	Chair	Laurie Oliver	City Planner
Scott Jensen	Vice Chair	Chris Negelspach	City Engineer
Bruce Shoemaker	Commissioner	Elizabeth Happala	Office Administrator III
Rita Bernhard	Commissioner		
Tim Connell	Commissioner		

Excused: Commissioner Blank

3.0 APPROVAL OF MINUTES

3.1 June 22nd, 2017 meeting

Commissioner Shoemaker moved and Commissioner Dahla seconded the motion to approve the June 22nd, 2017 Planning Commission meeting minutes. Motion passed 6-0.

AYES: Chair Kulp, Vice Chair Jensen, Commissioner Shoemaker, Commission Dahla, Commissioner Bernhard and Commissioner Connell.

NAYS: None.

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, 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 ITEM 5.2 CONTINUATION of Docket # PTR2-17 – ITEM HAS BEEN REMOVED FROM THE AGENDA.

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

City Planner Oliver went over the staff report beginning with the Subject Site section of the packet page 7; pointing out that 2 parcels owned by Cascade Concrete have requested to be withdrawn from the annexation; tax lots 600 & 601. Adding that their withdrawal reduces the total tax lots down to 8 from 10 and total number of acres are reduced to 40.6 acres from the original 52.4 acres. She provided the commissioners with a new packet that included a new vicinity

map, an email from the applicant requesting the withdrawal of Cascade Concrete, an updated Waiver of Remonstrance and an updated memo from Carollo Engineers dated with today's date; then continued on with the staff report on packet pages 7-30. She stated that the Conditions of Approval, beginning on packet page 36, are based on Approval Criteria #1 to comply with the City's development code Section 17.136.040(A).1, which begins on packet page 33 and states that they must have sufficient capacity to provide service for the proposed annexation area. She then continued with the Conditions of Approval, noting that since the annexation size has just decreased, staff requests the following changes to the following conditions of approval;

2, the owner would contribute to an amount of 150 gallons per minute (gpm) of water capacity instead of 300 gpm which is half the cost of a municipal well which typically produces 300 gpm.

3, the owner would construct a water storage tank of 140,000 gallon capacity instead of 175,000 gallon capacity. Stating that the new Waiver of Remonstrance would allow the applicants to not construct these improvements at this time but they would agree that at the time of future development that requires these improvements they would request the City form an LID or the City would form one to address these issues then each property would be proportionately assessed a value for the improvements. However we may work together to identify a solution to this as it does not have to be an LID as grant money could become available; as stated in Condition of Approval #7. Then stated that staff does recommend Planning Commission approval with this changes of conditions for City Council approval.

Chair Kulp asked if commissioners had any questions.

Vice Chair Jensen asked if the transportation finding on packet page 27 identified the quality of traffic, specifically cars vs. semi-trucks.

City Planner Oliver stated it was just a total number of trips.

Vice Chair Jensen asked about the definition of the current non-conforming uses on these properties to ensure they don't get into concrete manufacturing as an accessory to their current non-conforming use.

City Planner Oliver stated it was identified as a rock crushing plant which falls under the heavy industrial use category which makes it a non-conforming use, any changes to the use would fall under the expansion or alteration section of an existing non-conforming use which is triggered by any changes over 15% then the Conditional Use process is required with Planning Commission as the approval body.

Chair Kulp asked about the findings in the first paragraph of packet page 36 which states that the city's general policy has previously been to annex a non-conforming property as-is and allow them to remain in the current uses; if the City has annexed in non-conforming properties in the past.

City Planner Oliver stated she did ask our previous planner Brian Varricchione, about this and he said that in his previous staff reports here he has not responded to this section of the annexation code; 17.136.080 but she identified that as something she wanted the applicants to respond to, which they did in their letter requesting that those uses be allowed to remain and staff is in support of their request.

Chair Kulp asked about condition of approval #4, if it was common practice.

City Planner Oliver replied yes, this is also what they requested for the East Airport Annexation as well. The City is required to look at the annexation area at full capacity. Adding that OMIC might be the first to develop and the city might be able to meet their needs with our current water and sewer capacity but if the full 40 acres were to develop at its full capacity immediately then the city would not be able to serve that full capacity. As future Site Development Review applications come in the city would identify what their actual use would be and what their actual water and sewer needs would be, so it is possible that at this time the city could have adequate capacity. Stating that this protects the city if there were to be immediate development of the full 40 acres then the city could get an LID in place.

Commissioner Dahla asked about Condition of Approval #2 being reduced 50% but the reduction in acres was not 50%.

City Engineer replied that it is proportional to the demand; when you look at the total acreage adding that they would build a well that could have a capacity of 300 gpm.

City Planner Oliver asked Commissioners to turn to packet page 69 which is the narrative the applicant provided for our review and approval;

Item A; a sewer lift station.

Item B; a 233 gpm well, mainline and pump house.

Item C: other public facilities and services which could be the water storage issue.

Stating that the applicant proposed these conditions of approval and staff asked Corollo Engineers to assess what is actually needed. Therefore going down to 150 gpm is proportional to their impact.

Vice Chair Jensen asked what happens if the city is not able to afford to construct the well at the time that it needs to be built.

City Engineer Negelspach replied that we would not make them responsible for our half of the well construction.

Vice Chair Jensen & Chari Kulp asked what would happen if the city could not afford to build the well.

City Planner Oliver replied that the City does have a water right that was granted for a new well location out by the airport, on the property that was just annexed in. Between that construction and the half they would contribute the city would have additional water in the next year or so.

City Engineer added that we have an additional well being developed by Dutch Canyon Road and there was a condition of approval for the East Airport Annexation for them to provide a well also.

City Planner Oliver stated that once the East Airport is fully developed they will use the full capacity of the well that they were conditioned to provide, but in the meantime the contribution of this one could offset that.

Commissioner Bernhard asked about condition #3; regarding changes to the 175,000 gallons capacity needed.

City Planner Oliver replied it was a water storage tank that would be reduced to 140,000 gallons capacity needed.

Vice Chair Jensen asked about item #7; do we want to obligate the city to work together or to have the city review other solutions?

City Planner Oliver replied that it was the same language that was used in the conditions for the East Airport Annexation; and feels comfortable using the same language.

City Engineer added that part of that has to do with building infrastructure too as we wouldn't want the applicant to build a storage facility that isn't on city property so we would have to partner with them to do that.

Chair Kulp asked who or which department that would be.

City Engineer stated that there would be a lot of coordination between many departments and we would seek grant funding to offset those costs.

City Planner Oliver added that their contribution could be a match towards a grant.

City Engineer stated that when there is grant money involved the city has to be the applicant so we will need to take the lead role.

Chair Kulp asked the Commissioners if they had any additional questions.

Vice Chair Jensen asked about packet page 126; related to resizing manhole X6 to X4 on the map. Asking how did they come up with a 12" change?

City Engineer Negelspach replied that is a typical size which depends on the flows; we would work with the applicant and the Port. Adding that the City's Wastewater Master Plan should be done by then for full analysis for all the parcels but for now the early maps tells us it's likely to be a 12". Stating that there is a section that is deficient where there are two 8" pipes that come into an 8" pipe and it is unfortunate that it was designed that way for a 600' length of pipe.

Vice Chair Jensen asked why they wouldn't go larger as there is a 21" pipe just 600' down further.

City Engineer Negelspach replied that just might be the case but the the applicant would be conditioned to provide the necessary upgrades for them and the city could see that they built it to ultimate capacity then give them SDC credits for the increased capacity which would be in a future Site Development Application.

Chair Kulp asked Commissioners if they had any other questions; as they did not she asked the applicant to step forward to the speakers desk.

Applicant Mark Ferris, Project Delivery Group, came forward introduced himself and those that are here tonight with him; Dr. Mike Myers, Program Director for Oregon Manufacturing Innovation Center (OMIC), Chuck Daughtry of Columbia County Economic Team, Del Huntington their Traffic Consultant, Irv Potter Attorney representing Scott Parker and then Scott Parker, the property owner. Then thanked City Staff for their cooperation and support. He then turned it over to Dr. Mike Myers for the power point presentation about OMIC.
(Below are the slides Dr. Mike Myers shared)

Presenter Dr. Mike Myers, Their plan is for an Innovation Park which is much larger than the 10 acres they've purchased and much larger than the 40 acres that they are looking into annexing into the city. Adding that their universal objective for OMIC is creating jobs. Stating that currently there is a skill shortage, adding that the average age of the Boeing Gresham plant is 55. They call this the silver tsunami; if they don't educate and encourage our youth to go into manufacturing jobs then we will lose our manufacturing capabilities. Adding that OMIC will bridge that gap between academia and industry with applied research.



Building a case for an innovation park

Scappoose Planning Commission, July 2017

Dr. Mike Myers
Associate Professor
Oregon Tech

Hands-on education for real-world achievement

Universal objectives

Propagate inward investment to create jobs....

Overcome the skills shortage.....

Bridge the gap between academia and industry...

Innovation

Hands-on education for real-world achievement

Turned a sow's ear



Advanced
Manufacturing
Research Centre

Sheffield, England

Coking works – before
demolition 1999

Hands-on education for real-world achievement

Into a silk purse



Advanced
Manufacturing
Research Centre

Sheffield, England

\$100M annual
revenue

1,200 direct staff
2,500 jobs on the
park

80+ industry
partners

The Advanced Manufacturing Park 2014

Hands-on education for real-world achievement

Manufacturing R&D and Training



Hands-on education for real-world achievement

Boeing International Collaborative Partnerships



Hands-on education for real-world achievement

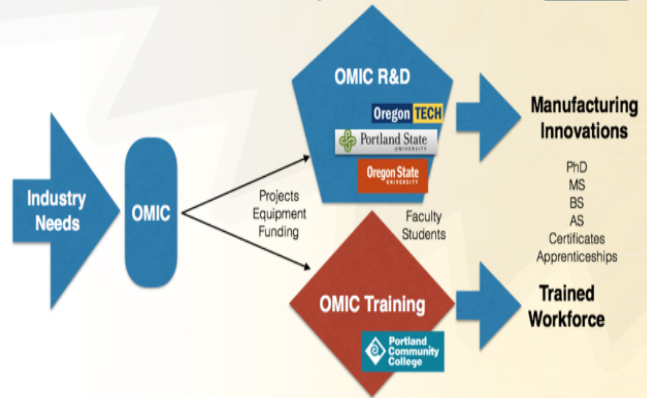
Bringing the collaboration model to the US

Oregon TECH



Industry focused

Oregon TECH



Hands-on education for near-world achievement.

Partners

Oregon TECH

DAIMLER



BLOUNT
INTERNATIONAL



SILVER EAGLE

HANGSTERFER'S
Research, Development & Manufacturing of Metalworking Lubricants



Hands-on education for near-world achievement.

Oregon TECH

Location

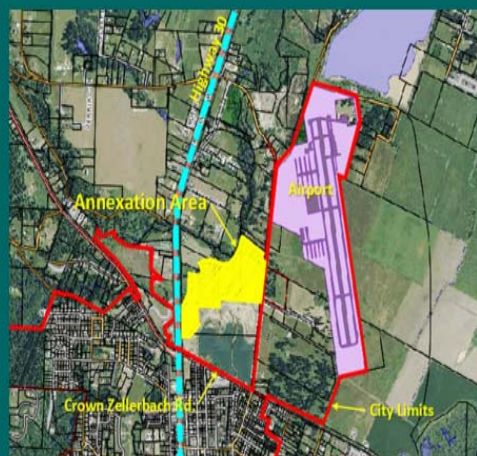


Hands-on education for near-world achievement.

Project Context & Overview:

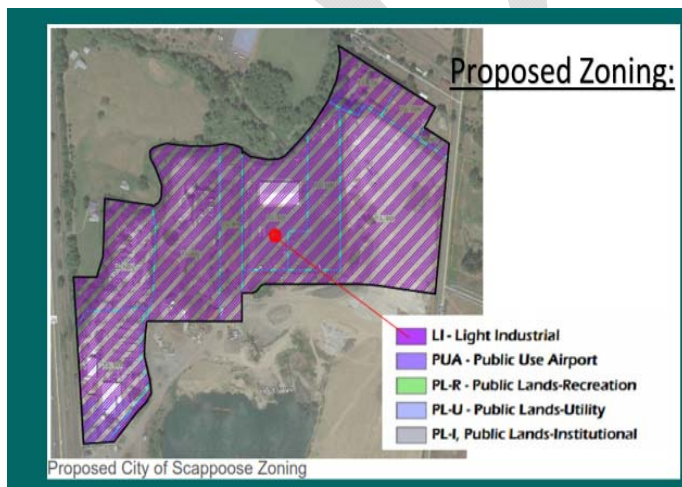
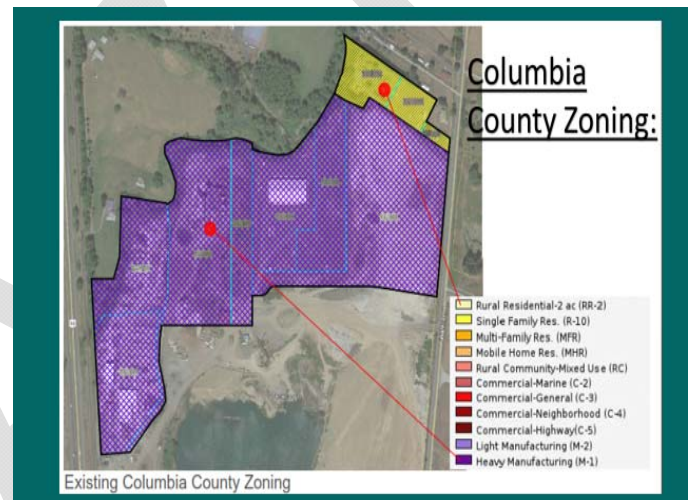
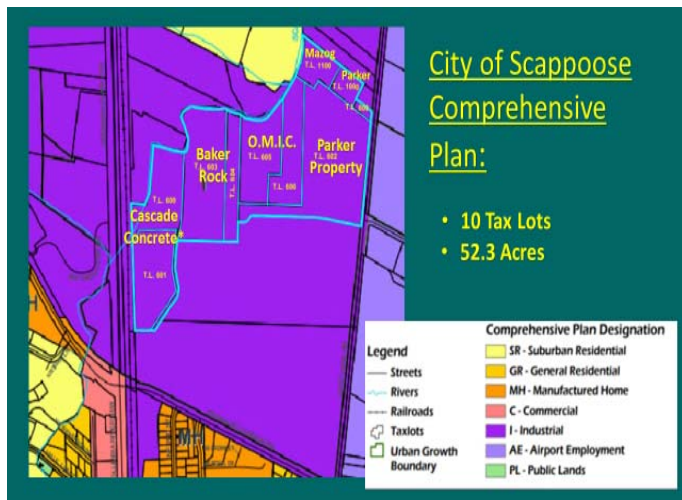


Context:



Dr. Mike Myer added that Senator Betsy Johnson has been their champion by going to bat for them in the legislature; she has secured \$11.5 million dollars for them, \$2.5 million for PCC/OMIC training to help build the road to get to the east side of the airport. The \$14 million is the largest initial capital that they have had for their center. Adding that is fantastic support from the State. The \$11.5 million will be used to retro-fit the building, build the Charles T. Parker Way road as the Parker family has donated 1,300 feet (2.35 acres of land) to build a new street from West Lane Road into their property, which they will built to city standards with sidewalks & utilites with a cost of about \$2 million dollars.

Applicant Mark Ferris stated that this is an amazing opportunity right on the city's doorstep. Adding that Cascade Concrete has withdrawn from the annexation as well as Baker Rock bringing it down to 6 tax lots for the annexation. Then went over the City Comp plan map, below, and the current County Zoning map, below, plus the proposed city zoning.



Applicant Mark Ferris added that their main discussion centers on the conditions of approval as they have some reservation as there are many cost unknowns and they don't feel as if they can agree to them as this point as there are far greater ramifications with respects to cost unknowns. Then handed the discussions back over to Dr. Mike Myers.

Applicant Mike Myers stated that Oregon Tech is a state institution with a board of trustees that approves projects; he wrote the business plan to convince the board to move forward with the property purchase after the due diligence was

done. Stating that he will need to go back to the board of trustees to discuss the conditions of approval, (reviewing power slides below).

Discussion: Conditions of Approval

- Condition #1 - Construct Sanitary Sewer Pump Station
- Condition #2 - Construct Municipal Well
- Condition #3 - Construct Municipal water Storage Tank
- Condition #4 - Consent and Waiver of Remonstrance to City's formation of a L.I.D.

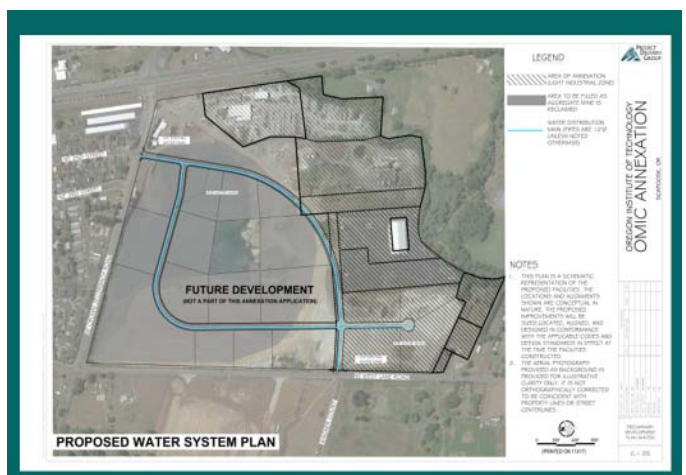
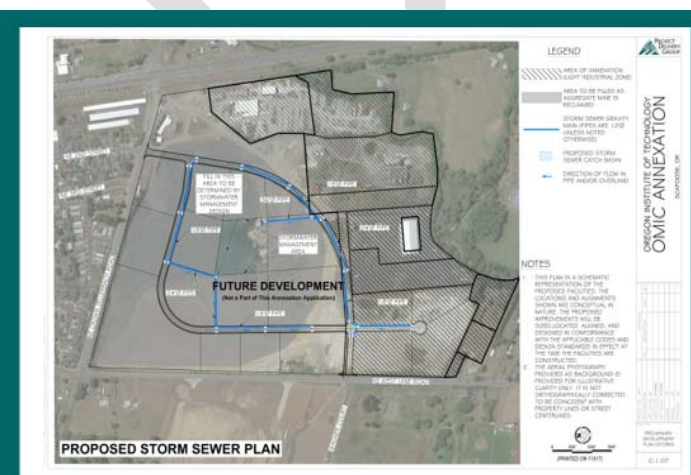
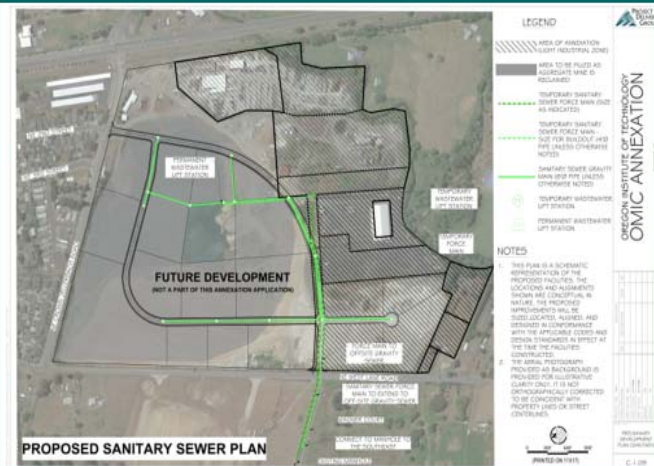


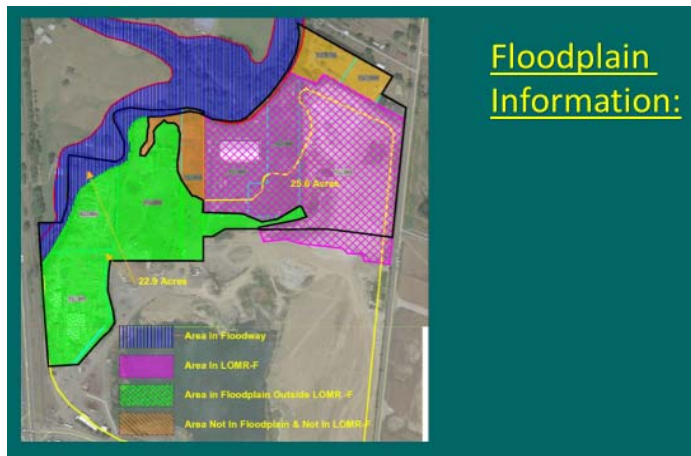
Clarifications to Conditions of Approval:

- Condition #7 – Additional or alternative conditions....
- Condition #10 – Non-conforming uses shall be allowed to be maintained...



Supporting Information:





Dr. Mike Myers stated that we need to work together to do this but we need some sort of idea on the cost. Adding that what he has is Oregon Tech put in \$1.7 million dollars to purchase the building, State of Oregon put in \$2.5 million to finish the building plus the additional R & D and OMIC training center they are now up to \$30 million with State investment into this project. Stating that what he is looking at, is where does the City of Scappoose invest in this project? He can't promise 500 acres to develop an innovation park but that is their goal. Adding that they need to be innovate and creative on how they can finance this as he can't go to the board with all the conditions without knowing how much it will cost.

Applicant Mark Ferris, reviewing the above slide, stated that condition #7 seemed open ended and asked Scott Parkers representative, Mr. Potter to come up to discuss condition #10.

Mr. Irving Potter came forward stating he is the attorney that represents Scott Parker who owns parcel 602. He stated that he wants to make it clear that Scott Parker and Scappoose Sand & Gravel support the plan of the OMIC project and the concept of the annexation. Adding that they also share the concerns of the Conditions of Approval 1-4 (slide above), stating that he just saw those two days ago and has not had an opportunity to evaluate the cost implications of those 4 conditions. Adding that due to this, Mr. Parker cannot be supportive of the annexation, not withstanding his extreme support of the OMIC project, until they have time to evaluate the potential cost and discuss with the other property owners on how they would deal with the allocation of those costs including the location of the pump station to meet the requirements which currently would have to be in the middle of a 60' deep pond. Stating that they would have to find some alternative or it would require the doctor's great innovation on how to functionally do that. Adding that they just need more time to look at these conditions to see if they can be satisfied or if there are alternatives to satisfying them that could be incorporated into the annexation. He then pointed out that Condition #7 alarms them as it states "the city can impose additional or alternative conditions", therefore they are reluctant to agree to a set of conditions with the understanding that there could be additional conditions that could impose additional costs or how they deal with an open ended plan with additional conditions. Adding that their final concern relates to Condition #10; continuation of the non-conforming uses for Cascade Concrete, Baker Rock and the residential properties. Stating that Cascade Concrete has withdrawn and Baker Rock might also withdraw due to the same concerns. Adding that they don't want to withdraw as the Parker parcel is crucial to the access that OMIC needs for this project, but #10 does not address the non-conforming use for the Parker parcel. Stating that it is a little trickier because the Parker Parcel is 12 acres of a much larger parcel contemplating annexation, currently has a Oregon Department of Geology & Mineral Industries permit to utilize their entire property for gavel mining and related uses. Adding that if they sever off the 12 acres they need to make sure that they have not eliminated the non-conforming use that is available to the entire parcel and then have that 12 acres which is not currently being mined precluded from being used as a permitted use under the existing Oregon permit. Requesting a refinement to the non-conforming use that it is the same use as it is on the entire parcel not just the use currently on the 12 acres.

Applicant Mark Ferris asked the commissioners for a continuance of this hearing for 30 days to allow them to understand the full impact of the conditions including the cost, and to see if there are other alternatives to meet the conditions. Stating that in the City's Comprehensive Plan it states that one of the goals for economic development, is to provide the land for public utilities that are necessary to support economic development while allowing the free market economy to operate with an absolute minimum of restrictions. He asks for the commissioners' concurrence in working with them and granting the continuance.

Chair Kulp asked the Commissioners if they had any questions for the Applicant.

Vice Chair Jensen had a question for Parker's representative, Mr. Potter, about the ability to continuing mining under the state permit and who would ensure that the permitted use would be compatible with OMIC's use right next door.

Parker's representative, Mr. Potter, stated that if they don't annex that parcel then it has an existing mining permit, so it has the ability to use it. Adding that they anticipate that the use of that property will be incorporated into the OMIC plan but until they know what that plan is they need to ensure that in the interim that they have not lost the potential license and permitted use for that property.

Vice Chair Jensen understands that but if Parker decides to mine the property in the future, would OMIC have sensitivity to the mining operation that could impact their operations, i.e. noise, blasting, vibration, etc.

Parker's representative, Mr. Potter, stated that his question is great and stated that they have not addressed that but if they did not participate in the annexation then Mr. Parker could just continue to mine as he has. Adding that it is a really good point so he can commit to saying that they will address this issue during the 30 day continuation they are requesting the Commissioners to approve. Adding that he really appreciates that question as they haven't even thought about it being a potential issue.

Vice Chair Jensen stated that he has had this particular issue come up in his professional life where one operation was sensitive to the vibrations from an adjacent operation.

Chair Kulp asked the Commissioners if they had any other questions, as there were none she asked if property owner Mr. Parker wanted to come forward. He declined. She then asked if there were any proponents that would like to speak, as there were none she asked for opponents. There were none so the Commissioners began deliberations.

City Planner Oliver stated that she knew that it was the intent of the applicant to request a continuation. The staff report was released to the applicant last Friday so she is little surprised to hear that some people have only had 2 days with it. Adding that the continuation is a great idea as there are a lot of items to consider here and it is understandable that they need more time to consider the impacts. She also understands why Cascade Concrete has withdrawn from the annexation as this time, which is fair. Adding that she thinks it is a good idea to continue but requests that the Commissioners continue to a certain time and date so there are no further noticing requirements. The next hearing date for their 30 day continuation is August 31st but her concern is that there is a very large application to hear that night as well, the East Airport Subdivision. Stating that if the Commissioners chose that date for the continuation then she asks that the Commissioners be willing to stay later in order to hear both large applications. Adding the other option would be to have one on August 24th then one on August 31st, or one on August 31st then the other on Sept. 7th. Stating that the East Airport Subdivision has August 31st reserved.

Property owner, Scott Parker, stated from the audience that September 7th would work better for him.

Chair Kulp & City Planner Oliver agreed that would be best as it would give them more time.

Property owner, Scott Parker, stated from the audience that the Baker Rock email came late since he is out of the country so he just saw the conditions.

City Planner Oliver stated that the Sept. 7th date will give him more time as well. Then told the Commissioners that if they make a motion to allow the continuation then the date would be September 7th at 7pm. August 31st is already on the calendar for the East Airport Subdivision application. Stating the OMIC annexation continuance would be September 7th.

Chair Kulp asked if there were any further questions.

Chair Kulp closed the hearing at 8:14pm to open for Commissioner Discussion;

Vice Chair Jensen is in favor of the continuance as it is a good idea as they were working through it there are questions that everyone needs answers on and he has no reason to object to their request for a continuation.

Commissioner Shoemaker moved and Commissioner Bernhard seconded the motion to grant the request for a continuance of the hearing on September 7th to give the applicants more time to discuss and resolve the issues. Motion passed 6-0.

AYES: Chair Kulp, Vice Chair Jensen, Commissioner Bernhard, Commissioner Dahla, Commissioner Shoemaker, and Commissioner Connell.

NAYS: NONE

6.0 COMMUNICATIONS

6.1 Calendar Check

City Planner Oliver went over the August calendar then thanked the Commissioners for being flexible with the dates. She also stated that Don Saltee our Building Official will have his last day tomorrow, as well as our RARE Applicant Ben Tolles. Adding that they interviewed 6 new RARE member potentials and should find out if we get one of our top 3 picks any day now.

Commissioner Bernhard asked who was replacing Don Saltee.

City Planner Oliver stated that the new Building Official is also named Don, he lives here and was an inspector for the City of Forest Grove previously. He's been working with Don Saltee for the last 10 days.

6.2 Commissioner Comments

Vice Chair Jensen went over the dates for the next airport meetings and asked where they will be held.

City Planner Oliver stated they would be here.

6.3 Staff Comments

City Engineer asked if the Commissioners had any questions for him.

Commissioner Dahla asked staff if they knew when the fountain would be done.

City Engineer Negelsbach replied that he isn't on the project but believes that many of the items left are on the Rotary to complete, listing; electrical, fountain lights, sound, and water. Adding that their tentative completion date might be pushed back.

Commissioner Bernhard asked what year that project started as she retired 7 years ago and it started before then.

City Engineer Negelsbach replied that it was started 8 years ago. Adding that each Rotary President has to have a project and 8-9 years ago it was President Gary Liao's project.

Commissioner Shoemaker added that it started before then as Gary was in the board foundation and that is when his idea came out. Stating that the next step was to have a class come out to stain the concrete and they are still finding money to pull into the pot.

Commissioner Bernhard added that she recalls that they originally had a hard time finding a location.

Commissioner Shoemaker stated it began as a very small project but then went on to become a very large project and now they had to come back down from that to what they have now.

City Engineer Negelspace stated that everyone has learned a lot from this project.

Chair Kulp stated that the Economic Development Committee had a meeting to discuss the park signage on the highway and they have funding to do it. They also discussed the parking for the Crown Zellerbach trail parking that is actually a county road.

7.0 ADJOURNMENT

Chair Kulp closed the meeting at 8:30pm

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of a Fence Over 8 Feet Tall.

Location: The site is located at 52590 Captain Roger Kucera Way, Columbia County Assessor Map No. 3212-BC-00100. See attached Vicinity Map (**Exhibit 1**).

Applicant: City of Scappoose

Owner(s): City of Scappoose

EXHIBITS

1. Vicinity Map
2. Fence concept plan
3. Site plans

OBSERVATIONS

SITE ANALYSIS

- The site is one of three parcels that make up Veteran's Park. The fence will be constructed at the NW corner of the parcel. (See **Exhibits 1 and 3**).
- The site is designated as Public Lands (PL) on the Comprehensive Plan Map, and is zoned Public Lands - Recreation (PL-R). The site is bordered to the North, South and West by Low Density Residential (R-1) zoned land and by Public Land –Utility (PL-U) and Moderate Density Residential (R-4) zoned land to the East. The property is bordered by existing residences on the West, primarily vacant land to the South and North, and South Scappoose Creek to the East.
- A portion of the site is within the 100 year floodplain, however, the location where the proposed fence would be located is outside of that area.

APPROVAL REQUESTED

- The City of Scappoose has requested approval for a Fence Over 8 Feet Tall to allow for the construction of a 10 foot tall fence along a portion of the NW corner of the Dog Park, located within Veteran's Park. This request is being made to address issues of property damage, noise, trespassing and privacy, arising out of conflict between individuals who use the Dog Park and a private property owner whose fence is contiguous to the park.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose Public Works Director, Building Official and City Planner have reviewed the proposal.
- Notice of this request was mailed to property owners located within 300 feet of the subject site on August 11, 2017. Notice was also posted on the property on August 14 and published in the local newspaper on August 11, 2017. No comments have been received from the public regarding this application.

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS

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

Chapter 17.79 PL-R PUBLIC LANDS -RECREATION

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

A. Public recreation facilities including neighborhood and community parks, park plazas, multi-use trails with associated trail access points and trailheads, campgrounds and other similar uses; B. Public support Facilities.(Ord. 828, 2013; Ord. 741 §3, 2004; Ord. 715 §1(part), 2002)

Finding: The existing park is a permitted use in the PL-R zone. Section 17.79.030 is satisfied.

Chapter 17.100 LANDSCAPING, SCREENING AND FENCING

17.100.110 Fences or walls. A. Fences, walls or combinations of earthen berms and fences or walls up to four feet in height may be constructed in required front yards. Rear and side yard fences, or berm/fence combinations behind the required front yard setback may be up to six feet in height without any additional permits. Any proposed fence or fence/berm combination higher than six feet shall require a building permit. Any fence or fence/berm combination greater than eight feet in height shall require planning commission approval in addition to a building permit.

B. The prescribed heights of required fences, walls or landscaping shall be measured from the lowest of the adjoining levels of finished grade.

C. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood or brick, or otherwise acceptable by the planner. Corrugated metal is not considered to be acceptable fencing material. Fences and walls shall be in compliance with other city regulations.

Finding: The applicant has proposed a fence to be constructed of 6 foot high chain-link fencing with a privacy screen and insulation, and topped with 4 feet of mesh (**See Exhibit**

2). This design will create a buffer between the Dog Park and private property, will prevent further damage to the abutting property owner's fence, will decrease trespassing resulting from the retrieval of balls that go over the fence, and will increase overall privacy. The Planning Commission has the authority to approve fences over 8 feet tall, and the proposed condition of approval would require a building permit prior to construction of the fence. Section 17.100.110 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:

[...]

10. Any other matter not specifically assigned to the planner, or the city council under this title.

Finding: The applicant has submitted an application for a Fence Over 8 Feet Tall on forms provided by the City of Scappoose, and the Planning Commission is by the very nature of the public hearing deliberation, following the correct procedures. Based on the submitted materials and the staff report, and as conditioned within this report, the proposal complies with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

RECOMMENDATION

The Development Code does not specify approval criteria for a Fence Over 8 Feet Tall. In the absence of objection from neighbors, staff has no objection to the tall fence. Based on the Findings of Fact, and the materials submitted by the applicant, staff recommends that the Planning Commission **APPROVE** FENCE1-17, subject to the following:

1. The applicant shall obtain a building permit from the Building Department prior to construction of the fence.

FENCE1-17 Vicinity Map

Location: 52590 Captain Roger Kucera Way, Columbia County Assessor's Map no. 3212-BC-00100



Scappoose GIS

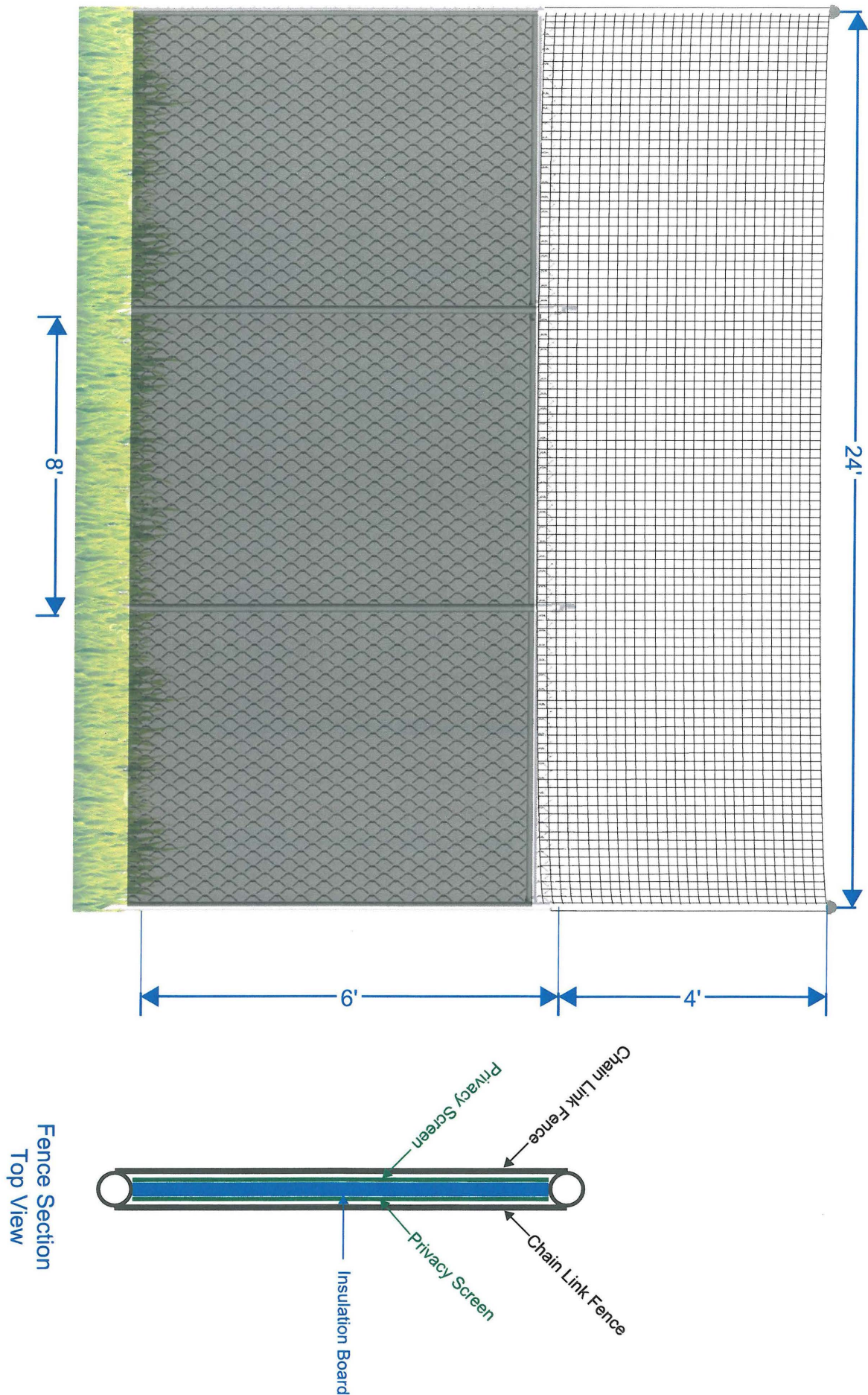
Legend

- Streets
- Taxlots Boundary



0 370 740 1,480 Feet

Exhibit 2





Legend

- Streets
- Water
- Sanitary Sewer
- Storm Drainage
- Rivers
- City Limits Boundary
- Taxlots Boundary



0 90 180 360 Feet



Legend

- | | |
|------------------|----------------------|
| — Streets | — Rivers |
| — Water | City Limits Boundary |
| — Sanitary Sewer | Taxlots Boundary |
| — Storm Drainage | |



0 20 40 80 Feet

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 Joint Session 5:30pm City Council & Planning Comm. Housing Needs Analysis #5	29	30 SPD Back to School Ice Cream Social 6PM Playground @ Grant Watts & Peterson	31 Planning Commission 7pm		

September 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2 Scappoose Farmers Market 9 am - 2pm
3	4 City Offices closed ~Labor Day 	5 Work Session 6:30 pm City Council 7pm	6	7 Planning Commission 7pm	8	9 Scappoose Farmers Market 9 am - 2pm
10	11	12	13	14	15	16 Out of the Darkness Community Walk 7:30am at SMS Scappoose Farmers Market 9 am - 2pm
17	18 Work Session 6pm City Council 7pm	19	20	21 Economic Development noon Parks & Rec 6pm	22	23 Scappoose Farmers Market 9 am - 2pm
24	25	26	27	28	29	30