



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

## SENSITIVE LANDS – SLOPE HAZARD DEVELOPMENT PERMIT 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 sensitive lands development permit application form and in the applicable code section prior to submitting an application. Applicants are required to schedule a pre-application meeting with the staff prior to submitting final application. **INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED UNTIL THE PLANNING DEPARTMENT RECEIVES ALL REQUIRED SUBMITTAL MATERIALS. REFER TO SUBMITTAL CHECKLIST PAGE.**

### TRACKING INFORMATION (For Office Use Only)

Application Submittal Includes:

☐ 3 Hard Copies Required (Initial Submittal)

☐ Electronic Submittal

☐ Fee

☐ 7 Hard Copies Required (Final Submittal, once deemed complete by City Planner)

Date application submitted: \_\_\_\_\_

Amount of Fee paid: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Date accepted as complete: \_\_\_\_\_

### SITE LOCATION & DESCRIPTION

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

Frontage Street or Address \_\_\_\_\_

Nearest Cross Street \_\_\_\_\_

Plan Designation \_\_\_\_\_ Zoning \_\_\_\_\_ Site Size \_\_\_\_\_ ☐ acres ☐ sq. ft.

Dimensions \_\_\_\_\_

### SUMMARY OF REQUEST

Proposed Project Name \_\_\_\_\_ Estimated Valuation \$ \_\_\_\_\_

Project Type/Narrative Summary: (Provide a brief summary and specify project type: Single-Family Residential (SFR), Multi-Family Residential (MFR), Accessory Dwelling Unit (ADU), Commercial, Industrial, Mixed Use) \_\_\_\_\_

Is a variance requested? ☐ Yes ☐ No (If yes, identify what type of request) ☐ Minor Variance ☐ Major Variance

**NOTE:** Procedures and applicable criteria for variances may be found in SDC Chapter 17.134

Subject to previous land use approval? ☐ Yes ☐ No File No. \_\_\_\_\_ (attach copy of Notice of Decision)

Landscaping (sq. ft.) \_\_\_\_\_ Paving (sq. ft.) \_\_\_\_\_

# of Parking Spaces \_\_\_\_\_ # of Accessible Parking Spaces \_\_\_\_\_

**NOTE:** *If a residential project is proposed, a Residential Density Calculation Worksheet must be submitted.*

*If Mixed Use, please specify types of uses and approximate percentages of overall site area in each use:*

Commercial \_\_\_\_\_% Industrial \_\_\_\_\_% Residential \_\_\_\_\_%

*If Commercial or Industrial:* List # of non-residential buildings and square footage of each; \_\_\_\_\_

## 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 \_\_\_\_\_ Wetlands \_\_\_\_\_ Riparian Corridors \_\_\_\_\_

Cultural Resources \_\_\_\_\_ Airport Noise Contours \_\_\_\_\_ Slopes greater than 20% \_\_\_\_\_

Water Provider: ☐ City of Scappoose ☐ Well

Does the site have access to City street(s)? ☐ Yes ☐ No (Please explain): \_\_\_\_\_

Does the site have access to County road(s)? ☐ Yes ☐ No (Please explain): \_\_\_\_\_

Are there existing structures on the site? ☐ Yes ☐ No (If Yes, briefly explain future status of structures.) \_\_\_\_\_

**APPLICANT AND OWNER 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.)

Applicant Name \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email Address \_\_\_\_\_

Applicant's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Name \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email Address \_\_\_\_\_

Property Owner Signature \_\_\_\_\_ Date: \_\_\_\_\_

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

# APPROVAL CRITERIA AND REVIEW STANDARDS

## (SENSITIVE LANDS – SLOPE HAZARD)

The approval criteria and requirements for a **Sensitive Lands – Slope Hazard Development Permit** application are listed in Chapter 17.86 of the Scappoose Development Code as follows:

### **17.86.020 Applicability of uses.**

- A. Except as provided by this section, the following uses are permitted uses:
  - 1. Accessory uses such as lawns, gardens or play areas, except in wetlands;
  - 2. Agricultural uses conducted without locating a structure or altering landforms;
  - 3. Public and private conservation areas for water, soil, open space, forest and wildlife resources;
  - 4. Removal of poison oak, tansy ragwort, blackberry or other noxious vegetation;
  - 5. Fences.
- B. Separate permits shall be obtained from the appropriate state, county or city jurisdiction for the following:
  - 1. Installation of underground utilities and construction of roadway improvements including sidewalks, curbs, streetlights and driveway aprons;
  - 2. Minimal ground disturbance(s) but no landform alterations.
- C. For the purpose of this chapter, “slope hazard areas” means those areas subject to a severe risk of landslide or erosion. They include any of the following areas:
  - 1. Any area containing slopes greater than or equal to fifteen percent and two of the following subsections;
    - a. Impermeable soils (typically silt and clay) frequently interbedded with granular soils (predominately sand and gravel),
    - b. Any area located on areas containing soils which, according to the current version of the soil survey of Columbia County, Oregon may experience severe to very severe erosion hazard,
    - c. Any area located on areas containing soils which, according to the current version of the soil survey of Columbia County, Oregon are poorly drained or subject to rapid runoff,
    - d. Springs or ground water seepage;
  - 2. Any area potentially unstable as a result of natural drainageways, rapid stream incision, or stream bank erosion;
  - 3. Any area located on an alluvial fan, presently subject to or potentially subject to inundation by debris flows or deposition of stream transported sediments;
  - 4. Any area containing slopes greater than or equal to twenty percent.
- D. Landform alterations or developments within slope hazard areas that meet the jurisdictional requirements and permit criteria of the U. S. Army Corps of Engineers, Division of State Lands, and/or other federal, state or regional agencies do not require duplicate analysis or local permits. The city may require additional information not addressed above. When any provision of any other chapter of this title conflicts with this chapter, the regulations that provides more protection to the sensitive areas shall apply unless specifically provided otherwise in this chapter; provided, such exceptions shall not conflict with any federal, state or local regulation.
- E. A development permit shall be obtained before construction or development begins within any area of slope hazard as identified in subsection C of this section. The permit shall apply to all structures including manufactured homes.
- F. Except as explicitly authorized by other provisions of this chapter, all other uses are prohibited on steep slope areas.

G. A use established prior to the adoption of this title, which would be prohibited by this chapter or which would be subject to the limitations and controls imposed by this chapter, shall be considered a nonconforming use. Nonconforming uses shall be subject to the provisions of Chapter 17.132.

H. The planner shall determine if a slope hazard applies based upon one or any combination described in subsection C of this section.

**17.86.030 Administration and approval process.**

A. The applicant for a development permit shall be the recorded owner of the property or an agent authorized in writing by the owner.

B. If uncertainty exists in regards to the location or configuration of slope hazard areas, the planner shall make an on-site inspection prior to an application being initiated to determine the nature and extent of the resource. If necessary, assistance from state and federal agencies shall be sought to provide the applicant additional information.

C. The planner shall review all development applications to determine if the mitigation and monitoring plans and bonding measures proposed by the applicant are sufficient to protect the public health, safety and welfare consistent with the goals, purposes, objectives and requirements of this chapter.

D. The applicant shall submit an affidavit which:

1. Declares that the applicant has no knowledge that sensitive areas on the development proposal site have been illegally altered, and that the applicant previously has not been found in violation of sensitive areas regulations for any property in Columbia County;

2. Demonstrates that any development proposal submitted conforms to the purposes, standards and protection mechanisms of this chapter;

3. If required, prepare a special sensitive areas study in accordance with Section 17.86.070;

E. Approval of a development proposal pursuant to the provisions of this chapter does not discharge the obligation of the applicant to comply with the provisions of this chapter.

F. The provisions of this chapter shall apply to all forest practices over which the city has jurisdiction, and to all property which has been cleared and/or graded without an approved state and local permit.

G. The application shall be processed in accordance with Chapter 17.162.

**17.86.040 Maintenance of records.**

A. The planner shall retain on file, the current version of the soil survey for Columbia County, Oregon as provided by the Soil Conservation Service, of the Department of Agriculture.

B. The planner shall retain on file all studies of soil hazards areas for new or existing development or construction.

**17.86.050 General provisions for slope areas.**

A. Slope hazard regulations apply to those areas meeting the federal, state or local definition of "slope hazard" as identified in Section 17.86.020(c) and areas of land adjacent to and within one hundred feet of areas identified as slope hazards.

B. Slope locations may include but are not limited to those areas identified as slope hazards in the Scappoose comprehensive plan.

C. Precise boundaries may vary from those shown on maps; specific delineation of slope hazards boundaries may be necessary. Slope hazard delineation will be done by qualified professionals at the applicant's expense.

**17.86.060 Expiration of approval.**

- A. Approval of a development permit shall be void if:
1. Substantial construction of the approved plan has not completed within a one-year period; or
  2. Construction on the site is a departure from the approved plan.
- B. The planner may, upon written request by the applicant, grant an extension of the approval period not to exceed one year, provided that:
1. No changes are made on the original plan as approved by the approval authority;
  2. The applicant can show intent of initiating construction of the site within the one year extension period;
  3. There have been no changes to the applicable comprehensive plan policies and ordinance provisions on which the approval was based;
  4. There have been no naturally occurring or manmade changes to the landform.
- C. Notice of the extension shall be provided to the applicant.

**17.86.070 Approval standards.**

- A. The planner or the planning commission may approve or approve with conditions or deny an application request within the slope area based upon following findings:
1. Land form alterations shall preserve or enhance slope stability;
  2. The proposed land form alteration or development will not result in erosion, stream sedimentation, ground instability, or other adverse on-site and off-site effects or hazards to life or property;
  3. Land form alterations or developments address stormwater runoff, maintenance of natural drainageways, and reduction of flow intensity by the use of retention areas;
  4. The structures are appropriately sited and designed to ensure structural stability and proper drainage of foundation and crawl space areas for development with any of the following soil conditions: wet/high water table; high shrink-swell capability; compressible/organic; and shallow depth-to-bedrock;
  5. Where natural vegetation has been removed due to land form alteration or development, the areas not covered by structures or impervious surfaces will be replanted to prevent erosion in accordance with Chapter 17.100;
  6. The water flow capacity of the drainageway is not decreased or the drainageway will be replaced by a public facility of adequate size to accommodate maximum flow;
  7. The necessary U.S. Army Corps of Engineers and state of Oregon Land Board, Division of State Lands and Department of Environmental Quality approvals shall be obtained;
  8. No development, building, construction or grading permit may be issued on lands in the slope hazard area until the public works director approves:
    - a. An engineering geotechnical study and supporting data demonstrating that the site is stable for the proposed use and development,
    - b. The study shall include at a minimum geologic conditions, soil types and nature, soil strength, water table, history of area, slopes, slope stability, erosion, affects of proposed construction, and recommendations. This study shall be completed by a registered geotechnical engineer in the state of Oregon. The plans and specifications shall be based on the study recommendations shall be prepared and signed by a professional civil engineer registered in the state of Oregon,
    - c. A stabilization program for an identified hazardous condition based on established and proven engineering techniques that ensure protection of public and private property,
    - d. A plan showing that the strategically important vegetative cover shall be maintained or established for stability and erosion control purposes,

e. A plan showing the proposed stormwater system. Said system will not divert stormwater into slope hazard areas.

B. Where landform alterations and/or development are allowed within and adjacent to the one hundred-year floodplain, the requirements of Chapter 17.84 shall be met.

C. Where landform alterations and/or development are allowed within and adjacent to wetlands, the requirements of Chapter 17.85 shall be met.

**17.86.080 Application submission requirements.**

A. All applications shall be made on forms provided by the planner and shall be accompanied by:

1. One reproducible copy of the development plan(s) and necessary data or narrative which explains how the development conforms to the standards. Sheet size for the development plan(s) and required drawings shall not exceed eighteen inches by twenty-four inches and the scale for all development plans shall be an engineering scale;

2. A list of the names and addresses of all who are property owners of record within two hundred feet of the site.

B. The development plan and narrative shall include the following information. Items may be combined on one map:

1. Existing site conditions including vicinity map showing the location of the property in relation to adjacent properties and including parcel boundaries, dimensions and gross area;

2. The location, dimensions and names of all existing and platted streets and other public ways, railroad tracks and crossings, and easements on adjacent property and on the site and proposed streets or other public ways, easements on the site;

3. The location, dimensions and setback distances of all existing structures, improvements, utility and drainage facilities on adjoining properties and existing structures, water, sewer, improvements, utility and drainage facilities to remain on the site; and proposed structures, water, sewer, improvements, utility and drainage facilities on the site;

4. Contour lines at two-foot intervals for slopes from zero to ten percent and five-foot intervals from slopes over ten percent;

5. The drainage patterns and drainage courses on the site and on adjacent lands;

6. Potential natural hazard areas including:

a. Floodplain areas,

b. Areas having a high seasonal water table within zero to twenty-four inches of the surface for three or more weeks of the year,

c. Unstable ground (areas subject to slumping, earth slides or movement).

Where the site is subject to landslides or other potential hazard, a soils and engineering geologic study based on the proposed project may be required which shows the area can be made suitable for the proposed development,

d. Areas having a severe soil erosion potential, and

e. Areas having severe weak foundation soils;

7. The location of trees having a six-inch caliper at four feet. Only those trees that will be affected by the proposed development need to be sited accurately. Where the site is heavily wooded, an aerial photograph at the same scale as the site analysis may be required;

8. Identification information, including the name and address of the owner, developer, and project designer, and the scale and north arrow;

9. A grading and drainage plan that includes:

a. The identification and location of the benchmark and corresponding datum,

b. Location and extent to which grading will take place indicating contour lines, slope ratios, and slope stabilization proposals,

c. When requested by the planner, a statement from a registered engineer supported by factual data substantiating:

- i. The validity of the slope stabilization proposals,
- ii. That other off-site impacts will not be created,
- iii. Stream flow calculations,
- iv. Cut and fill calculations, and
- v. Channelization measures proposed.

d. A statement from a registered engineer supported by factual data that all drainage facilities are designed in conformance A.P.W.A standards and as reviewed and approved by the public works director;

10. The method for mitigating any adverse impacts upon wetland, riparian or wildlife habitat areas.

# SUBMITTAL REQUIREMENTS CHECK LIST

## (SENSITIVE LANDS – SLOPE HAZARD DEVELOPMENT PERMIT)

### Pre-Submittal Requirements:

☐ Applicants are required to schedule a pre-application meeting with Planning staff to discuss application prior to submittal of land use application. **Incomplete applications will not be accepted. No loose pages will be accepted, all documents must be bound with page numbers.**

### Application Submittal Requirements:

The following is a summary of the application submittal requirements that must be received by the City. File order and details of each submittal item are shown on the following pages. Application materials must follow the specified order and the appropriate electronic file naming standards shown on the following pages to ensure a complete application. **Incomplete applications will not be accepted. No loose pages will be accepted; each submittal-set must be bound and under one cover. Refer to first page for required number of submittal-sets for distribution.**

☐ The declaratory affidavit required by 17.86.030.D (1)

☐ A list of the names and addresses of all property owners of record within 300 feet of the site.

☐ Three copies of the development plan. Sheet size for the development plan shall not exceed 18 X 24 inches and the scale shall be an engineering scale. All development plans must include the following:

- Existing site conditions including a vicinity map showing the location of the property in relation to adjacent properties and including parcel boundaries, dimensions and gross area or a copy of the appropriate, most current Columbia County Assessor map;
- The location, dimensions and names of all existing a platted streets and other public ways, railroad tracks and crossing, and easements on adjacent property and on the site and proposed streets or other public ways and easements on the site;
- The location, dimensions and setback distances of all existing structures, improvements, utility and drainage facilities for adjoining properties, the location, dimensions and setback distances of all existing structures, improvements, utility and drainage facilities on the site and the proposed structures, water, sewer, improvements, utility and drainage facilities on the site;
- Name and address of the owner, developer and project designer, the scale of the drawing, a north arrow and the date of the drawing;
- A drainage plan at the same scale as the development plan that includes a statement from a registered engineer supported by factual data that all drainage facilities are designed in conformance with APWA standards as reviewed and approved by the Public Works Director;
- A grading plan at the same scale as the development plan that indicates the location and extent to which grading will occur indicating general contour lines, slope ratios and slope stabilization proposals;
- Contour lines at two foot intervals for grades zero to ten percent and five foot intervals for grades over ten percent; and
- The location of drainage patterns and drainage courses; and
- The location of any flood plain areas (Scappoose Drainage District, 100 year flood plain and floodway as indicated on FIRM Maps) and the FIRM Map Number; and
- The location of any slopes in excess of 15 percent; and
- The location of any unstable ground (areas subject to slumping, earth slides or movement); and
- The location of any areas having a high seasonal water table within 24 inches of the surface for three or more weeks per year; and
- The location of any wetlands; and
- The location of any areas having severe soil erosion potential as defined by the Soil Conservation Service; and
- The location of any areas having severe weak foundation soils; and
- The location of any rock outcroppings; and
- The location of any wildlife habitats; and
- The location of any trees measuring six inches in caliper or greater measured four feet from ground level; and
- Erosion control measures; and



- A statement from a registered engineer supported by factual data substantiating the validity of the slope stabilization proposals and cut and fill calculations.

☐ Geotechnical report and supporting data demonstrating the site is stable for the proposed use and development. The report shall include at a minimum geologic conditions, soil types and nature, soil strength, water table, history of area, slopes, slope stability, erosion, effects of proposed construction, and recommendations and shall be completed by a registered geotechnical engineer in the state of Oregon. The plans and specifications shall be based on the study recommendations shall be prepared and signed by a professional civil engineer registered in the state of Oregon.

☐ Provide a detailed written narrative stating how this proposal is in conformance with the following approval standards:

- Land form alterations shall preserve or enhance slope stability;
- The proposed land form alteration or development will not result in erosion, stream sedimentation, ground instability, or other adverse on-site and off-site effects or hazards to life or property;
- Land form alterations or developments address storm water runoff, maintenance of natural drainage ways, and reduction of flow intensity by the use of retention areas;
- The structures are appropriately sited and designed to ensure structural stability and proper drainage of foundation and crawl space areas for development with any of the following soil conditions: wet/high water table; high shrink-swell capability; compressible/organic; and shallow depth-to-bedrock;
- Where natural vegetation has been removed due to land form alteration or development, the areas not covered by structures or impervious surfaces will be replanted to prevent erosion in accordance with Chapter 17.100;
- The water flow capacity of the drainage way is not decreased or the drainage way will be replaced by a public facility of adequate size to accommodate maximum flow;
- The necessary U.S. Army Corps of Engineers and state of Oregon Land Board, Division of State Lands and Department of Environmental Quality approvals shall be obtained.

☐ Electronic copy of all materials.

## AFFIDAVIT CERTIFYING STEEP SLOPE

Pursuant to Scappoose Municipal Code 17.86.030, this affidavit declares that the applicant has no knowledge that sensitive areas on the development proposal site have been illegally altered, and that the applicant previously has not been found in violation of sensitive area regulations for any property in Columbia County.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Applicant: \_\_\_\_\_

STATE OF OREGON                    )  
  ) ss

Dated: \_\_\_\_\_

COUNTY OF \_\_\_\_\_)

Personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing instrument to be their voluntary act.

Before me:

\_\_\_\_\_

Notary Public for Oregon

My Commission expires: